



COUNTY of ROCKINGHAM

Department of Community Development

Rhonda H. Cooper
Director

Planning Commission Meeting Agenda

September 7, 2021

Board Meeting Room at 6:30 p.m.

1. Call to Order- Chairman Flint
2. Pledge of Allegiance and Invocation- Commissioner Loomis
3. Approval of Minutes from August 3, 2021, Regular Meeting
4. Public Hearing

Rezoning Cases

- A. **REZ21-189 Model Road LLC**, 92 N Liberty St., Harrisonburg to amend proffers on 1.53-acre parcel located on the north side of Mount Olivet Church Rd. (Rt. 644) approximately 100 feet east of Spotswood Trail (Rt. 33) in Election District 5. Zoned B1C-General Business with Conditions. Tax map #129-(A)-L69.
- B. **REZ21-191 Stoneleigh Associates LLC and Stoneleigh Investments LLC**, 1463 Brookhaven Drive, Rockingham VA, to amend proffers on properties totaling 49.125 acres located north and south of Stone Spring Road (Rt. 280) at and near the intersections of Stone Port Boulevard (Rt. 726) and Ridgedale Road (Rt. 710) in Election District #3. Zoned B1-C, General Business with Conditions. Tax map numbers 125-(A)-L7, L7A, L15, L15A, L15C, L15D, L16, L16B & 125-(21)-L1, L2, L3.
- C. **REZ21-192 Great Eastern Resort Corporation**, P.O. Box 6006, Charlottesville VA 22906. Request for a Master Plan amendment to change 9.98 acres of Area "A", single-family dwelling use, to Area "B" townhome use. Located 0.3 miles southwest of the intersection of Bloomer Springs Rd. (Rte. 646) and Resort Dr. (Rte. 644). Zoned R-4 (Planned Resort District). Tax Map 128-(A)- L132 & L133. Election District 5.

Ordinance Amendments

- D. **OA21-205** to remove the Section 17-309.02(e). requirement for no less than 40% of homes in a subdivision zoned MH-1, Mixed Home District to be manufactured homes.

- E. **OA21-210** to amend Table 17-606, Land Use and Zoning Table and Section 17-607, supplemental standards, to require a special use permit for certain uses in the B1-General Business Zoning District within the Urban Development Area.

Agricultural and Forestal District

- F. **AF21-197 Sheila M. Bowman**, 7467 Mill Creek Church Road, Mount Crawford, to add to the Cross Keys North Agricultural and Forestal District a 2.878-acre portion of a property located on the west side of Mill Creek Church Road (Rt.672) approximately 300' south side of Williams Run Road (Rt.671). Zoned A2-General Agricultural. Tax Map#151-(A)-L92. Election District #3
- 5. Unfinished Business (tabled items, which already received a public hearing)
 - REZ21-141 Karin Flagle**, c/o, Harman Realty, Inc. Request to rezone 41.99 acres from A-1 (Prime Agricultural) and A-2 (General Agricultural) to PSF-C (Planned Single-Family with conditions). Undeveloped parcel on the east side of Power Dam Road (Route 651) approximately 300' McGaheysville Road (Route 996). TM # 142-(A)- L57, 142B-(A)- L28, 142B-(A)- L28A, and 143-(A)- L53; Election District 5. **(Tabled 7/6/21; action required by 10/5/21)**
 - 6. New Business – *None*.
 - 7. Ongoing Business
 - A. City Planning Commission Liaison Report: August 11– Commissioner Burkholder
 - B. Upcoming City Planning Commission Liaison Report: September 8- Chairman Flint
 - 8. Staff Report Overview
 - 9. Adjournment

PLANNING COMMISSION

MINUTES

August 3, 2021

The Rockingham County Planning Commission met on Tuesday, August 3, 2021, in the Board of Supervisors Room in the Rockingham County Administration Center. Members present were, Chairman Kevin Flint, Vice Chairman Bill Loomis, Michael Harvey, Rodney Burkholder, and Keith Sheets. Staff members present were Director of Community Development, Rhonda Cooper; Director of Planning, Bradford Dyjak; Senior Planner, Patrick Wilcox; Zoning Administrator, Kelly Getz; and Secretary, Kayla Yankey.

At 6:30 p.m., Chairman Flint called the meeting to order.

Commissioner Burkholder offered the Pledge of Allegiance and Invocation.

MINUTES

On a motion by Commissioner Loomis and seconded by Commissioner Burkholder, the July 6, 2021, regular minutes were approved with a 5-0 vote.

PUBLIC HEARING

Rezoning Cases

REZ21-169 - Cobblers Valley Development Inc, c/o Dennis Wenger, 2389 Grace Chapel Rd, Rockingham, VA 22801. Request to amend the proffers of +/- 75 acres of the Cobbler's Valley Subdivision. Property to remain R-5C (Planned Neighborhood District with Amended Conditions) to amend the phasing of the development. Situated on the west side of Pear St. (Rt. 922) approximately 0.15 mile southwest of Erickson Ave. (Rt. 726). Tax Map # 108-(13)- L1 – L3, 108D-(6)- L1 – L28, L91 – L108, L129, L155 – L167, LA, LB, 108D-(7)- LA. Election District 2.

Mr. Dyjak presented the request. The number of townhome units would be limited to 80 units per calendar year and all other proffers would remain the same except for the phasing schedule changes. There would be no extra impact for VDOT or schools.

Vice Chairman Loomis asked about the amendment process for proffers, stating that he thought proffers could not be changed after approval. Mr. Dyjak responded that proffers are voluntary and become zoning of the property, but subsequent changes can be made through the rezoning process.

Chairman Flint asked for verification that this request does not change the in/output on the property or density, just allowing 80 units per 12-month period. Mr. Dyjak verified that this was correct.

Commissioner Burkholder asked, and staff confirmed, that this request is in response to the market demand.

At 6:37 p.m., Chairman Flint opened the public hearing.

Todd Rhea, of Clark & Bradshaw PC and representing the applicant, explained that the property had been rezoned in 2018 for 400 residential units. At that time there was no inclination of knowing which phase of the project would take off first, whether it would be duplexes, single family homes, or townhomes. The water supply for the project was originally to be supplied by the City of Harrisonburg, but the County now serves the site and the timeline for installation of the water lines did not take as long as anticipated. It is expected that it would be 2023 before the townhomes would begin construction, but this proffer amendment provides flexibility for the developer so both property types can be marketed simultaneously.

At 6:42p.m., seeing as there was no one to speak in opposition to the rezoning, Chairman Flint closed the public hearing.

Chairman Flint stated that the staff presentation was clear, and he is comfortable with the proffer amendment.

Commissioner Burkholder motioned for the Planning Commission to recommend approval of the proposed rezoning; Commissioner Sheets seconded the motion.

On a roll call vote of 5-0, the Commission recommended the approval of this rezoning.

REZ21-171 - Nolan Cline, 452 Springs Oaks Dr, Rockingham, VA 22801. Request to rezone 0.5 acres from R-2C (Medium Density Residential with Conditions) to A-2C (General Agricultural with Conditions). Situated on the northeast side of Pleasant Valley Road (VA 679), about 0.3 miles north of Spaders Church Road (VA 689). Portion of Tax Map # 124-(A)- L98. Election District 4.

Mr. Wilcox presented the request, explaining this is the leftover portion of a larger portion that was recently rezoned for Pleasant Run LLC. This is the subject to an illegal division and the staff solution is to downzone to A-2 zoning. This would allow for an adjoining land transfer to create one lot. There were no significant comments received from other department or agencies; therefore, to resolve the illegal division staff recommends approval.

At 6:45 p.m., Chairman Flint opened the public hearing.

At 6:46 p.m., seeing as there was no one to speak in favor of or in opposition to the rezoning, Chairman Flint closed the public hearing.

Commissioner Harvey motioned for the Planning Commission to recommend approval of the proposed rezoning; Mr. Loomis seconded the motion.

On a roll call vote of 5-0, the Commission recommended the approval of this rezoning.

Capital Improvements Program Amendments

1. Amendments to the adopted Rockingham County fiscal years 2022 - 2027 Capital Improvements Program (CIP) shall be considered for recommendation to the Board of Supervisors. The CIP serves as a five-year plan to guide the construction or acquisition of capital projects and the amendments will include the addition of two transportation projects: **Captain Yancey Road Turn Lane at US-340 and Rawley Springs Road Improvements.**

Mr. Dyjak presented the amendment, stating that both requests are consistent with the Comprehensive Plan and requests the Planning Commission recommend adoption of the amendments to the Board of Supervisors.

Vice Chairman Loomis agreed that both roads need improvement.

At 6:48, Chairman Flint opened the public hearing.

At 6:48., seeing as there was no one to speak in favor of or opposition to the rezoning, Chairman Flint closed the public hearing.

Commissioner Harvey motioned for the Planning Commission to make a recommendation to the Board of Supervisors for the adoption of the proposed CIP amendment, Mr. Burkholder seconded the motion.

On a roll call vote of 5-0, the Commission recommended the approval of this amendment.

Chairman Flint gave background information to the audience about the CIP and the importance of citizen involvement during the implementation process.

Ordinance Amendments

OA21-176 - Amendment to the Rockingham County Code, Chapter 17 (Zoning), Section 17-700.01 (Area Types), Section 17-803 (Setbacks), and Table 17-806.01 (Area, Setback, and Height – Conventional). This amendment would reduce all minimum required yard setbacks and impose maximum front yard setbacks in the B-1 (General Business) zoning district, in addition to allowing certain encroachments into said B-1 district setbacks. This amendment would additionally reclassify the B-1 district from a “Suburban” to a “Compact” Area Type.

Mr. Dyjak presented the request indicating that changing the front setback to a maximum of 25 feet is to create a main street-type feel in the B-1 district.

Devon Anders was concerned about the unintended, potential impact.

Mr. Dyjak stated the minimum is 10 feet but if a site has an easement in front of the site, the building could not be placed as close as 10 feet.

Mr. Dyjak clarified that this amendment would only hold true in the Urban Development Area.

At 6:53 p.m., Chairman Flint opened the public hearing.

Seth Roderick, Monteverde Engineering and Design Studio, spoke to explain some of the effects a designer endures when a maximum setback is applied. One example was it is harder to meet ADA requirements due to parking being in the rear of the building.

Stephanie Floyd, a resident of the County, asked the definition of compact vs. suburban.

Todd Rhea, of Clark & Bradshaw PC, stated that he understands that the idea is to add parking to the rear but that could force a gas station to be right on the street rather than presenting their pumps at the front of the property. He suggested that the request could be more appropriate as a design goal rather than an ordinance amendment.

At 6:58 p.m., Chairman Flint closed the public hearing.

Mr. Dyjak presented the differentiation of the terms rural, suburban, and compact. He explained that there are certain development standards for each category including requirements for sidewalks, bike racks, and additional connectivity requirements in suburban and compact areas.

Commissioner Harvey asked how the 25 feet maximum was derived. Mr. Dyjak explained that it stems from the Stone Spring Urban Development Area Plan (UDAP). One of the underlying goals of the UDAP is to provide more pedestrian amenities. An example in the plan is the Stone Port Neighborhood Concept. The Altitude is an example within this area: the building is close to the street while the parking is to the side. This accommodates the need for parking while increasing density. Another example is the Stone Ridge and Preston Lake area, where satellite stores can front Stone Spring and a big box store could still be constructed while meeting the proposed setback change.

Vice Chairman Loomis asked if the 10 feet minimum could include a sidewalk. Staff clarified that the front yard setback would be measured from the edge of the right-of-way, and that this request includes only the front yard setback.

Commissioner Burkholder asked if the entire building would have to meet the setback or if only a percentage of the building. Mr. Dyjak confirmed that the entire building would need to meet the setback requirement.

Commissioner Sheets motioned for the Planning Commission to table the ordinance amendment due to needing a better understanding of the proposed amendment; Commissioner Burkholder seconded the motion.

On a roll call vote of 5-0, the Commission recommended tabling the ordinance amendment.

OA21-177 - Amendment to the Rockingham County Code, Chapter 17 (Zoning), Section 17-700.01 (Area Types), Section 17-803 (Setbacks), and Table 17-806.01 (Area, Setback, and Height – Conventional). This amendment would reduce all setbacks in the RV (Rural Village) zoning district.

Mr. Getz presented the request. He explained that reducing the setbacks in the RV district would allow for existing structures to maintain the significance and integrity of their architecture and character.

Vice Chairman Loomis asked for confirmation that this would apply to existing structures in the Rural Village zoning district.

Mr. Getz stated that there are many historic homes in areas such as Singers Glen, Port Republic, and Keezletown. He explained that if a front porch is falling down the landowner has no way to repair the porch with the current 35-foot setback.

Mrs. Cooper asked if on a nonconforming property if a porch could be replaced with the same size as what was previously there. Mr. Getz said that the porch would not be able to be built back in that circumstance, only if the porch were damaged or destroyed by an act of God.

Mr. Getz shared GIS screenshots to show the proximity of dwellings to roadways in the RV district, reiterating the difficulty of any alterations to the structures in those areas. He explained that a variance request could be a potential but with the number of properties affected it would be beneficial to do an ordinance amendment.

At 7:14 p.m., Chairman Flint opened the public hearing.

Douglas G Barger, a county resident, said that he understands a lot of requests could come forth but that the setback change could be taken advantage of and to maintain the character of these specific areas the County should consider each case individually.

Sarah Lam, a resident of McGaheysville, asked if this amendment was about preserving the land or allowing more developers to take more land and questioned why there would need to be a reduction in the setback.

Todd Dyer, a resident of McGaheysville, said that he believes changing setbacks across the board will create density issues and questioned if this would affect the Three Leagues or McGaheysville area.

Mary Pargas, a resident of the McGaheysville Area, stated that she was concerned about the amendment because there is potential for a lot of change happening quickly. She believed that these types of changes should be happening slowly through a variance process for each individual case to allow the citizens to have a vote or say on individual changes.

After some comments and concern from residents about large developments and the creation of a high-density area, Chairman Flint informed those wanting to speak to only provide comment on the proposed amendment. Mr. Getz offered clarification of the RV zoning district stating that this zoning district is not residential development, does not have public utilities, and does not include big development or subdivisions.

Jared Lamb, a county resident, had concerns with the provided map and identifying the zoning districts, and had complications using the Online GIS. Mrs. Cooper welcomed him to contact the GIS department for any help.

In response to a few of the comments regarding a variance Mr. Getz stated that if the same type of variance request is received on multiple properties the preferred solution is to do an ordinance amendment.

Vice Chairman Loomis asked if McGaheysville was considered a village. Mrs. Cooper explained that while McGaheysville is considered a community village and is not within the RV- Rural Village zoning district.

At 7:28p.m., Chairman Flint closed the public hearing.

Commissioner Harvey motioned for the Planning Commission to recommend approval of the ordinance amendment; Mr. Burkholder seconded the motion.

On a roll call vote of 5-0, the Commission recommended the approval of the ordinance amendment.

UNFINISHED BUSINESS

Chairman Flint explained the tabling process to the attendees, and that although public comment would not be opened, he thanked the attendees for their initial feedback on these matters.

REZ21-141 - Karin Flagle, c/o, Harman Realty, Inc. Request to rezone 41.99 acres from A-1 (Prime Agricultural) and A-2 (General Agricultural) to PSF-C (Planned Single-Family with conditions). Undeveloped parcel on the east side of Power Dam Road (Route 651) approximately 300' McGaheysville Road (Route 996). TM # 142-(A)- L57, 142B-(A)- L28, 142B-(A)- L28A, and 143-(A)- L53; Election District 5. *(Tabled 7/6/21; action required by 10/5/21)*

No action was taken on REZ21-141 by the Planning Commission.

OA21-074 - Enacting Section 17-315 and amending Tables 17-606 and 17-806, Sections 17-607 and 17-700 to establish a Business Interchange (BX) zoning district, which could be designated at interchanges to allow for the provision of certain services to the interstate-travelling public. *(Tabled 7/6/21; action required by 10/5/21)*

Vice Chairman Loomis motioned to remove the ordinance amendment from the table, Commissioner Sheets seconded the motion.

On a roll call vote of 5-0, the ordinance amendment was opened for discussion.

Chairman Flint was pleased that the radius had been extended from ¼ mile to ½ mile.

Commissioner Harvey motioned to approve the proposed ordinance amendment; Commissioner Burkholder seconded the motion.

On a roll call vote of 5-0, the ordinance amendment was recommended for approval.

Solar Energy Facilities Ordinance and Policy *(Tabled 7/14/21; action required by 10/22/21)*

To amend Chapter 17 related to Ground-Mounted Large Solar Energy:

Article 2. Definitions: Aggregate Cap, Decommissioning Plan, Energy Storage System, Large Solar Energy Facility, and Joint and Several Responsibility.

Article 6. Land Uses:

Table 17-606. Land Use and Zoning Table. Lists zoning districts where a Ground-Mounted Large Solar Energy Facility and a Ground-Mounted Large Solar Energy Facility Installed Over Impervious Surfaces are permitted by right and permitted by special use.

Sec. 17-607. Supplemental standards for certain land uses. Pertains to aggregate cap, per-site acreage cap, setbacks, community meeting, vegetated buffer, ground cover, wildlife corridors, historic sites, viewshed, tree cover, glare and appearance, and decommissioning.

To consider policy related to Ground-Mounted Large Solar Energy Facilities:

Addresses preference given to non-agricultural sitings, dual use of the land, impervious surfaces, aggregate cap, maximum height, ground cover, historic sites, and soils and tree cover.

To amend Chapter 17 related to Ground-Mounted Small Solar Energy Facilities:

Article 2. Definitions: Energy Storage System and Small Solar Energy Facility.

Article 6. Land Uses:

Table 17-606. Land Use and Zoning Table. Permitted by right in all zoning districts.

Sec. 17-607. Supplemental standards for certain land uses. Pertains to setbacks and maximum height.

Vice Chairman Loomis motioned to remove the ordinance amendment from the table, Commissioner Sheets seconded the motion.

The Commissioners complimented the staff on a job well done putting together the plan.

Vice Chairman Loomis noted that the issues brought forth during the July meeting had been addressed.

Commissioner Harvey asked if the 2,000-acre aggregate amount was only for agricultural property and not commercial. Mrs. Cooper explained it is only for proposals requiring a special use permit.

Vice Chairman Loomis motioned to approve the ordinance amendment; Commissioner Burkholder seconded the motion.

On a roll call vote of 5-0 the ordinance amendment was recommended to the Board for approval.

Chairman Flint called the meeting to recess at 7:39 p.m., and reconvened at 7:47 p.m.

NEW BUSINESS

There was no new business.

ONGOING BUSINESS

A. Pending Ordinance Amendments Update & Farewell– Bradford Dyjak & Patrick Wilcox

With no new pending ordinance amendments Mrs. Cooper gave farewell wishes to Bradford Dyjak and Patrick Wilcox on their new endeavors outside of the county and welcomed Kayla Yankey into the Planner position.

B. City Planning Commission Liaison Report

Commissioner Sheets gave a report for the July 14 Harrisonburg City Planning Commission Meeting.

C. Upcoming City Planning Commission Liaison Report

The liaison for the August 11 Harrisonburg City Planning Commission Meeting is Commissioner Burkholder.

STAFF REPORT OVERVIEW

Ms. Cooper reviewed the staff report bringing attention the Rockingham Bicycle Advisory Committee reappointments, and that all committee members and all were reappointed.

ADJOURNMENT

At 7:57 p.m., having no further business, the Commission adjourned

Minutes approved by the Commission on _____, 2021 by:

Kevin Flint, Chair

Kayla Yankey, Secretary



**ROCKINGHAM COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT**

REZONING CASE REPORT REZ21-189

Applicant	Model Road, LLC
Address/Location	North side of Mount Olivet Church Rd. (Rt. 644) approximately 100 feet east of Spotswood Trail (Rt. 33)
Tax Map#	129-(A)-L69
Acreage	1.53 acres
Present Zoning	B-1C – General Business with conditions
Proposed Zoning	B-1C – General Business with conditions (amend proffer)
Election District	5
Comprehensive Plan	Commercial Use within Urban Growth Boundary
Staff Recommendation	Approval, August 31, 2021
Planning Commission	
Board of Supervisors	

GENERAL INFORMATION

OVERVIEW/BACKGROUND:

The applicant is seeking to amend the existing B-1C (General Business with conditions) proffers to expand the permitted uses of the property. The site's existing proffers limit the site to non-medical-related uses.

PROFFERED CONDITIONS:

Model Road, LLC hereby proffers that the use and development of this property shall be in strict accordance with the following conditions:

1. Restaurant use as provided under Sec.17-606 with the following limitations:
 - a. Counter service including light food, coffee, tea, and other beverages
 - b. No drive-thru service
 - c. No more than 20 parking spaces
 - d. Restaurant to be closed by 10 p.m.
 - e. No commercial kitchen on premises
2. Retail use as provided under Sec. 17-606 with the following limitations:
 - a. Retail sales will be limited to sales connected to the operation of the restaurant uses proffered in item 1 above, including tee-shirts and coffee mugs.
3. Office uses including business offices but excluding medical offices.

The conditions set forth in this amended proffer statement supersede and replace the conditions set forth in previous proffer statement approved February 23, 2005.

STAFF AND AGENCY ANALYSIS

PLANNING & ZONING

Comprehensive Plan Consistency

The McGaheysville Area Plan designates the area around the intersection of Resort Drive, Mount Olivet Church Road and Spotswood Trail as Area Gateway Potential.

FIRE AND RESCUE

This request is located within the McGaheysville Volunteer Fire Department and the East Rockingham Emergency Services Station's respective first due. This project will need to meet the requirements of the Rockingham County Fire Prevention Code.

PUBLIC WORKS

Property is currently served by County water and sewer.

ENVIRONMENTAL SERVICES

No comment.

VIRGINIA DEPARTMENT OF HEALTH

A food establishment permit from the local health department is required to operate a restaurant. Plans will need to be submitted for review to determine compliance with regulation prior to a permit being issued to operate.

VIRGINIA DEPARTMENT OF TRANSPORTATION**VDOT Site Specific Comments:**

The site is served by an existing commercial entrance on Model Road (Rte. 640). Model Road has a VDOT published count of 510 vehicles per day as of 2015. VDOT does not object to the change in conditions associated with the proffer amendment. Specific details of the re-developed site layout will be reviewed at time of site plan.

VDOT General Comments:

Should the safety, use, or maintenance level of any existing or proposed entrance to a VDOT maintained highway change in the future, VDOT reserves the right to require additional modifications as warranted by the site-specific conditions. If any work is required on VDOT right-of-way, a VDOT Land Use Permit is required. The permit is issued through the Harrisonburg Residency office.

STAFF RECOMMENDATION**Approval, August 31, 2021**

The McGaheysville Area Plan designates the intersection of Spotswood Trail, Model Road, and Mt Olivet Church Road as an area gateway, calling for a concentration of commercial activity.

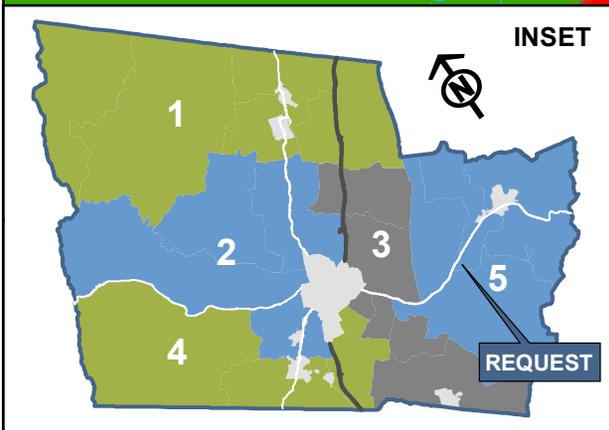
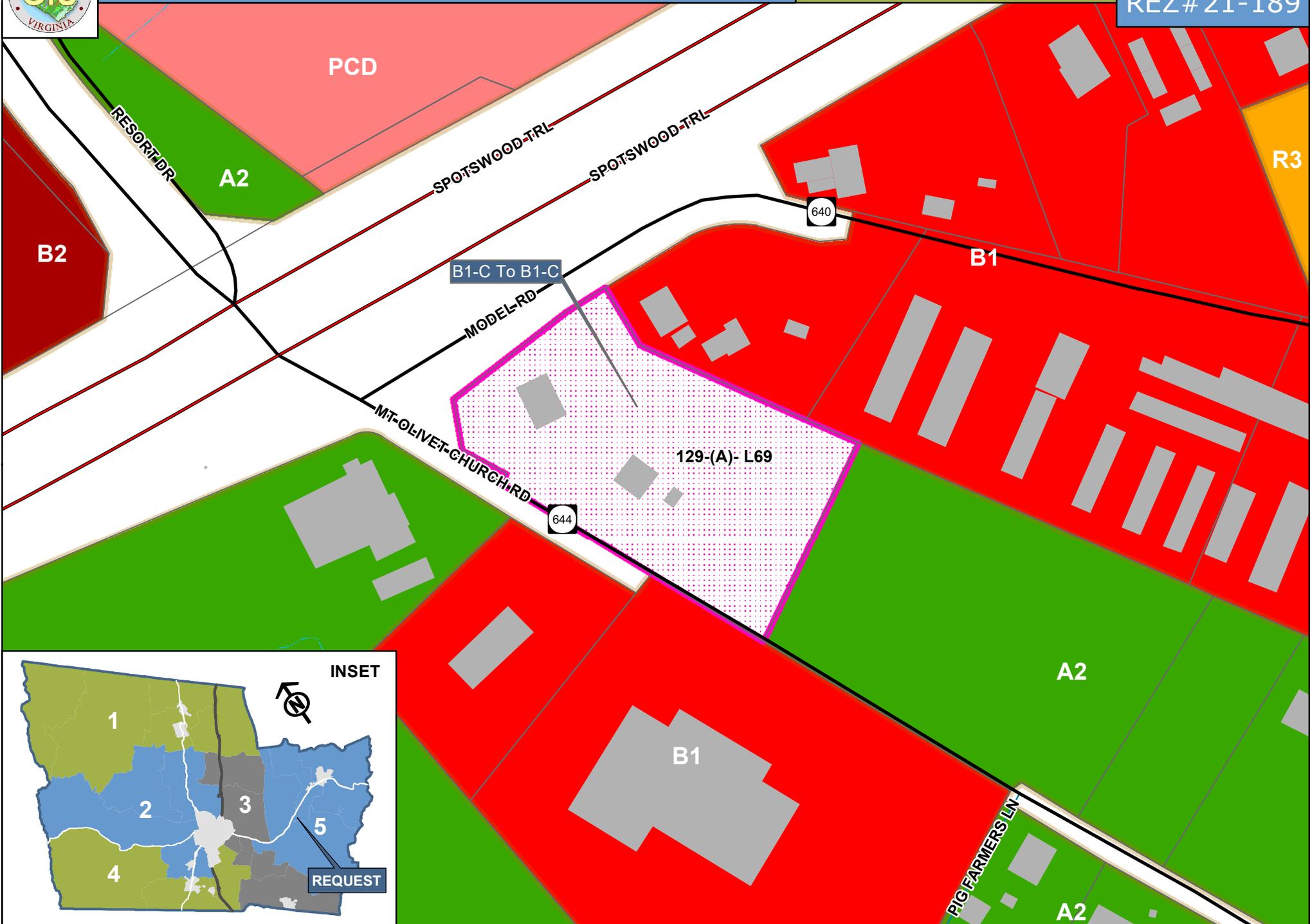


Model Road, LLC Rezoning Request



PC Hearing Date: 9/6/2021

REZ# 21-189



ROCKINGHAM COUNTY REZONING APPLICATION

Prior to submitting this application, the applicant must have a preliminary meeting with a planner in the Department of Community Development. No application can be accepted until this meeting is held. Call 540-564-3033 for an appointment.

APPLICANT'S CHECKLIST:

- _____ Complete this application and sign the front and back.
- _____ Enclose a boundary map of the property, showing a metes and bounds description of the area to be rezoned. The map cannot be larger than 11" x 17".

FOR OFFICE USE ONLY		<i>PROFFER AMENDMENT</i>
Applicant Meeting Date:	Planner:	<i>REZ 21-189</i>
Application Fee: \$	Receipt #	Date Received:
Taxes Paid:	Staking Given:	
Deadline Date:	PC Hearing Date: <i>SEP 7, 2021</i>	BOS Hearing Date:

APPLICANT: Model Road, LLC Check if: Owner: _____
 Contract Purchaser _____

MAILING ADDRESS: 92 N. Liberty St., Harrisonburg, VA 22802 EMAIL: tcrhea@clark-bradshaw.com

CONTACT PERSON: Todd C. Rhea DAYTIME PHONE: (540) 433-2601

Send notices to you? yes If so, include postal and email address: 92 N. Liberty St., Harrisonburg, VA 22802

LOCATION: N S E W of (Road Name) Mount Olivet Church Road (Route #) 644
 approximately 100 miles N S E W of (Road Name) U.S. Route 33
 (Route #) _____ in Election District # 5.

TAX MAP(S) #: 129-(A)-L69 PRESENT USE: Office

NUMBER OF ACRES IN REZONING REQUEST: 1.53 FROM B-1C ZONING TO B-1C

*Proffer Revision as Attached.

INDICATE METHOD OF:

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <u>Water Supply</u> <input checked="" type="radio"/> County Water <input type="radio"/> City Water * <input type="radio"/> Community System <input type="radio"/> Well <input type="radio"/> Cistern | <ul style="list-style-type: none"> <u>Sewage Disposal</u> <input checked="" type="radio"/> County Sewer <input type="radio"/> City Sewer * <input type="radio"/> Community System <input type="radio"/> Septic System <input type="radio"/> Alternative (Specify) _____ |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

* If City water and/or sewer are selected, applicant must have full approval by City and County prior to submitting this rezoning application.

Virginia law permits the landowner to offer conditions (proffers) governing the use of the property. The conditions (proffers) would add to, or modify, the use of the property that the landowner is requesting to be rezoned. These conditions (proffers) must be presented to the Community Development Office in letter form.

Charles S. Hoover
 Signature of Landowner

[Signature], atty for applicant
 Signature of Applicant or Agent

ADJOINING LANDOWNERS:

Provide the names and complete mailing addresses of all adjoining landowners, including landowners across any road, railroad, stream, or river. Also include any adjoining landowners within the City of Harrisonburg, a town, or in another county. Attach additional sheets, if necessary.

Names and addresses of adjoining County landowners are available at <http://rockingham.gisbrowser.com> and in the Real Estate and Land Use Office located in the Rockingham County Administration Center.

Remember: If the property in this rezoning request adjoins the City of Harrisonburg, a town, or another county, it is your responsibility to supply this office with the names and current addresses of the adjoining properties within the City, town, or other county.

NAME	ADDRESS
Carolyn Beam & Charles Lawson	4507 Friedens Church Rd., Mount Crawford VA 22841
Ken & Terry Rentals LLC	1178 Beldor Rd., Elkton VA 22827
Eastside Self Storage LLC	1178 Beldor Rd., Elkton VA 22827
Spotswood Trail LLC	610 W. Rio Rd., Charlottesville VA 22901
Mt. Olivet Christian Church TRS	38 Mt. Olivet Church Rd., Elkton VA 22827
Great Eastern Resort Corporation	P.O. Box 6006 Charlottesville VA 22906
Massanutten Station LLC	P.O. Box 8, Mount Jackson VA 22842

ADJOINING PROPERTY OWNER VERIFICATION

AS APPLICANT FOR THIS REZONING, I Todd C. Alca, Atty for Applicant
Applicant (PLEASE PRINT NAME)

hereby acknowledge that I have faithfully and correctly provided names and complete mailing addresses of all my adjoining property owners and those directly across the street or road. I understand that failure to do so will leave me liable for additional costs for re-advertising and that my request could be delayed until proper notification has been given to all adjoining property owners.

Signature of Applicant  , atty for applicant Date: 7-23-21

Model Road, LLC Zoning Amendment Request (B-1C)

Amendment of Proffers

Date: July 20, 2021

Re: Model Road, LLC

Owner: Model Road, LLC

Rezoning Case No.:

Tax Map Number: 129-(A)-69

Model Road, LLC hereby proffers that the use and development of this property shall be in strict accordance with the following conditions:

1. Restaurant use as provided under Sec. 17-606; with the following limitations:
 - a. Counter service including light food, coffee, tea and other beverages.
 - b. No drive-through service.
 - c. No more than 20 parking spaces.
 - d. Restaurant to be closed by 10 p.m.
 - e. No commercial kitchen on premises.
2. Retail use as provided under Sec. 17-606; with the following limitations:
 - a. Retail sales will be limited to sales connected to the operation of the restaurant uses proffered in item 1 above, including tee-shirts and coffee mugs.
3. Office uses including business offices, but excluding medical offices.

The conditions set forth in this amended proffer statement supecede and replace the conditions set forth in previous proffer statement approved February 23, 2005.

Model Road, LLC

By: 

Manager

CLARK & BRADSHAW, P.C.

ATTORNEYS AND COUNSELORS AT LAW

92 North Liberty Street

Harrisonburg, Virginia 22802

Post Office Box 71

Harrisonburg, Virginia 22803-0071

Telephone: (540) 433-2601 Facsimile: (540) 433-5528

Web Site: www.clark-bradshaw.com

MARK B. CALLAHAN
TODD C. RHEA
MATTHEW C. SUNDERLIN
BRADLEY J. MOYERS
DAVID C. NAHM
QUINTON B. CALLAHAN
KAREN L. ROWELL
KATHERINE M. MANN

M. STEVEN WEAVER
OF COUNSEL

ELLEN H. BRODERSEN, C.P.A.
AMY L. RUSH, C.P.A.
(NOT ATTORNEYS)

July 23, 2021



Bradford R.R. Dyjak
Director of Planning
Rockingham County
20 East Gay Street
Harrisonburg, VA 22802

Re: Model Road, LLC Proffer Amendment

Dear Mr. Dyjak:

Please find enclosed a Proffer Amendment rezoning application for Model Road, LLC, County Tax Map number 129-(A)-L69. As discussed with County Planning, and as outlined in the enclosed application and supplemental materials, the applicant is seeking to amend the existing B-1C proffers to expand the permitted uses for the property.

The requested uses under the Proffer Amendment are intended to be carefully limited as to intensity of use and hours of operation in order to support a café style coffee shop use with related retail in the existing structure, without a drive through and without a large expansion of the parking area on the site in order to mitigate any additional traffic impacts. The site is currently used by the existing Tenant for office uses, and the requested café uses would share the space with the office uses by the existing Tenant.

We appreciate the County's positive consideration of these limited Proffer Amendment uses as outlined in the application. I also enclose the required \$550.00 filing fee for processing the application.

Regards,

Todd C. Rhea

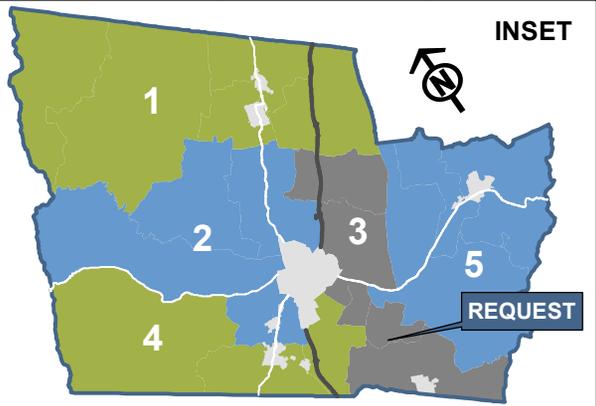
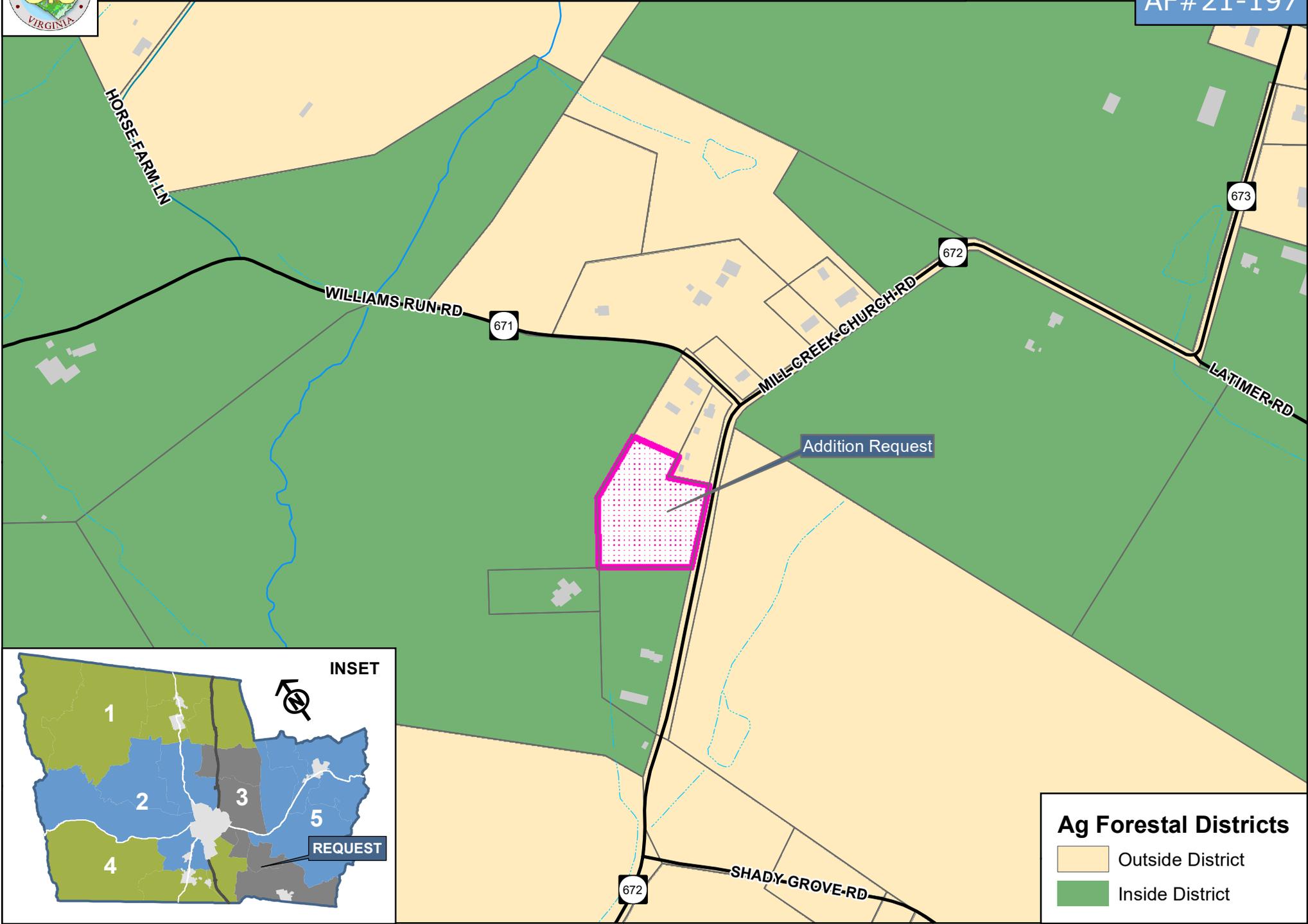


Sheila Bowman Ag Forestal District Request



PC Hearing Date: 9/7/2021

AF#21-197



Ag Forestal Districts

- Outside District
- Inside District



**ROCKINGHAM COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT**

REZONING CASE REPORT REZ21-191

Applicant	Stoneleigh Associates, LLC & Stoneleigh Investments, LLC
Address/Location	North and South of Stone Spring Road (Rt. 280) at and near the intersections of Stone Port Boulevard (Rt. 726) and Ridgedale Road (Rt. 710)
Tax Map#	125-(A)-L7, L7A, L15, L15A, L15C, L15D, L16, L16B & 125-(21)-L1, L2, L3.
Acreage	49.125 acres
Present Zoning	B1-C General Business with conditions
Proposed Zoning	B1-C General Business with conditions (amend proffers)
Election District	3
Comprehensive Plan	Community Residential and Mixed Use Center within the Urban Development Area
Staff Recommendation	Approval, September 3, 2021
Planning Commission	
Board of Supervisors	

GENERAL INFORMATION

OVERVIEW/BACKGROUND:

Stoneleigh Associates LLC and Stoneleigh Investments LLC have rezoned and placed proffers on these parcels throughout the last two decades. The proposed proffers would place all parcels under one uniform proffer statement with the uses updated to reflect the County's current land use table.

PROFFERED CONDITIONS:

The conditions set forth in the Amendment to Proffer Statement supersede the limitations on permitted uses and special uses of the attached existing proffers, but do not amend any other portion of the existing proffers.

STAFF AND AGENCY ANALYSIS

PLANNING & ZONING

Stone Spring Urban Development Area Plan:

The Urban Development Area Plan identifies this area as the Stone Port Neighborhood. The Stone Port Neighborhood is designated as T-4 Neighborhood Center, which consists of higher density mixed use buildings that accommodate residential, commercial, office, and retail. It has a compact network of neighborhood streets with consistent sidewalks, street tree plantings, and buildings placed close to the sidewalks and streets. Development is organized around neighborhood parks within a ¼ mile walk. Typical building heights are 3-6 stories. Building frontage types including stoops, store fronts, galleries, porches, and doorways.

Zoning:

The following B1 uses would be newly allowed if the property is rezoned to amend the proffers from REZ14-144:

Airport, heliport, or flight strip (special use)
Buggy and harness shop, repair and sales
Cab service (special use)
Daycare, adult
Daycare, child
Dwelling, live/work
Event center
Fitness Center
Group home
Mail services
Mini-storage facility (*The applicant has proffered design criteria for this use. See 3(a) on proffer statement dated September 1, 2021.*)
Motor vehicle sales lot
Nursing home

Parking facilities
 Shooting range, indoor (special use)
 Solar energy, large (special use)
 Solar energy, small
 Spa
 Sports complex
 Taxidermy (was by SUP, now by-right)
 Wind energy system, small-scale (special use)

The applicant has proffered that the following B1 uses shall not be permitted:

Impound lot
 Machinery and equipment center
 Motor vehicle tow service

FIRE AND RESCUE

This request is located within the Port Republic Road Emergency Response Station and Harrisonburg Volunteer Rescue Squad’s respective first due area. Our office has no concerns with the rezoning. Any projects completed if rezoned will need to meet the requirements of the Rockingham County Fire Prevention Code.

PUBLIC WORKS

County water and sewer are available for these parcels. Public works is monitoring the sewer flow in this area as everything must pass through the Stone Port Pump Station which was originally sized to only handle flows from The Reserve. This may affect the amount of densely packed, multifamily subdivisions / apartment complexes that could be constructed in this area but with any other disclosed use the system should be adequate.

ENVIRONMENTAL SERVICES

Environmental Services has no comment on this proposal.

VIRGINIA DEPARTMENT OF HEALTH

The Health Department has no comment on this proposal.

ROCKINGHAM COUNTY PUBLIC SCHOOLS

Rockingham County Public Schools has no comments on this application.

VIRGINIA DEPARTMENT OF TRANSPORTATION

Roadway Information:

The internal Stone Port streets are either intended to remain privately maintained or have yet to be

accepted by VDOT into the secondary roadway system. The minimum amount of development required to meet public service requirements for acceptance will soon be met with the occupancy of several developments under construction. Stone Port Boulevard is intended to be a Collector Roadway while the other internal public streets will be local streets.

VDOT Comments:

The amendment is not expected to have a substantial impact on adjacent roadways and will not require a Chapter 527 Traffic Impact Analysis (TIA). From a traffic related standpoint, the streets will still be in substantial conformance with the original development plan.

STAFF RECOMMENDATION**Approval, September 3, 2021**

The properties in this request have been subject to different re-zonings and multiple proffer statements over the years. With the adoption of a new zoning ordinance in 2014, many of the uses and terminology in these existing proffer statements are outdated. This proffer amendment would clarify the conditions for the property owners, potential developers, and County Staff.

ROCKINGHAM COUNTY REZONING APPLICATION

Prior to submitting this application, the applicant must have a preliminary meeting with a planner in the Department of Community Development. No application can be accepted until this meeting is held. Call 540-564-3033 for an appointment.

APPLICANT'S CHECKLIST:

- Complete this application and sign the front and back.
- Enclose a boundary map of the property, showing a metes and bounds description of the area to be rezoned. The map cannot be larger than 11" x 17".

FOR OFFICE USE ONLY

PROFFERS

Applicant Meeting Date:	Planner:	<i>REZ 21-191</i>
Application Fee: \$	Receipt #	Date Received:
Taxes Paid:	Staking Given:	
Deadline Date:	PC Hearing Date: <i>SEP 7, 2021</i>	BOS Hearing Date: <i>OCT 27, 2021</i>

APPLICANT: Stoneleigh Associates, LLC and Stoneleigh Investments, LLC Check if: Owner: Contract Purchaser:

MAILING ADDRESS: 1463 Brookhaven Dr, Rockingham VA 22801 EMAIL: efbudd@gmail.com

CONTACT PERSON: Ted Budd DAYTIME PHONE: (540) 433-2216

Send notices to you? If so, include postal and email address: Same as above

LOCATION: (N S E W) of (Road Name) N&S of Stone Spring Rd (Route #) 280
 approximately miles/feet (N S E W) of (Road Name) at intersections with Port Republic Rd (#253) and Ridgedale (#726)

(Route #) in Election District # 4 (North River District)
 Stoneleigh Investments: 125-(21)-L1, 2*, 3*; 125-(A)-L7*, 16, 16B, 15, 15A, 15C, 15D
 Stoneleigh Associates: 125-(A)-L7A *Only B-1 portion PRESENT USE: Commercial development parcels

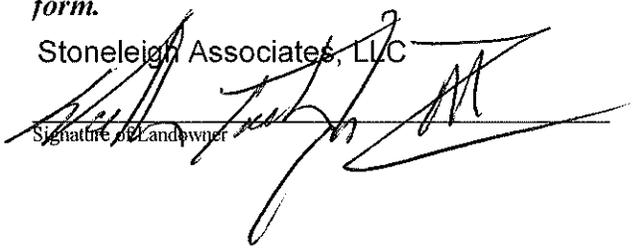
NUMBER OF ACRES IN REZONING REQUEST: See attached list FROM B1-C ZONING TO B1-C Proffer amendment to align permitted uses with uses allowed in B1 district generally

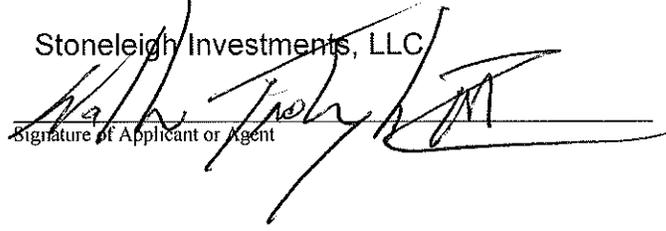
INDICATE METHOD OF:

<u>Water Supply</u> County Water City Water * Community System Well Cistern	<u>Sewage Disposal</u> County Sewer City Sewer * Community System Septic System Alternative (Specify) <u> </u>
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* If City water and/or sewer are selected, applicant must have full approval by City and County prior to submitting this rezoning application.

Virginia law permits the landowner to offer conditions (proffers) governing the use of the property. The conditions (proffers) would add to, or modify, the use of the property that the landowner is requesting to be rezoned. These conditions (proffers) must be presented to the Community Development Office in letter form.

Stoneleigh Associates, LLC

 Signature of Landowner

Stoneleigh Investments, LLC

 Signature of Applicant or Agent

ADJOINING LANDOWNERS:

Provide the names and complete mailing addresses of all adjoining landowners, including landowners across any road, railroad, stream, or river. Also include any adjoining landowners within the City of Harrisonburg, a town, or in another county. Attach additional sheets, if necessary.

Names and addresses of adjoining County landowners are available at <http://rockingham.gisbrowser.com> and in the Real Estate and Land Use Office located in the Rockingham County Administration Center.

Remember: If the property in this rezoning request adjoins the City of Harrisonburg, a town, or another county, it is your responsibility to supply this office with the names and current addresses of the adjoining properties within the City, town, or other county.

NAME	ADDRESS
See attached list.	

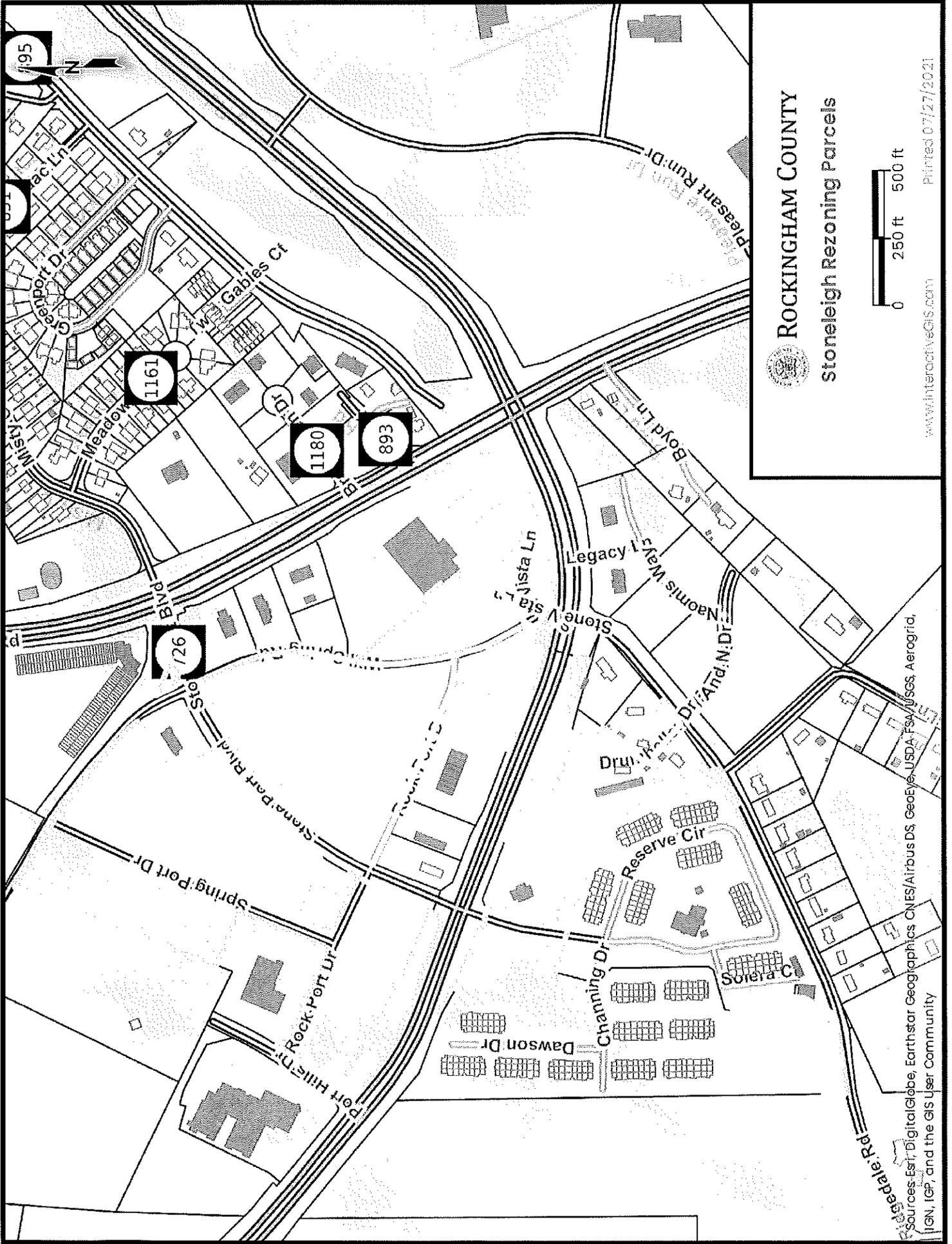
ADJOINING PROPERTY OWNER VERIFICATION

AS APPLICANT FOR THIS REZONING, I Stoneleigh Associates, LLC and Stoneleigh Investments, LLC
Applicant (PLEASE PRINT NAME)

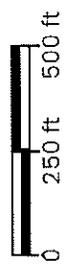
hereby acknowledge that I have faithfully and correctly provided names and complete mailing addresses of all my adjoining property owners and those directly across the street or road. I understand that failure to do so will leave me liable for additional costs for re-advertising and that my request could be delayed until proper notification has been given to all adjoining property owners.

Stoneleigh Associates, LLC + Stoneleigh Investments, LLC
[Handwritten Signature]

Signature of Applicant _____ Date: 7-27-2021



ROCKINGHAM COUNTY
Stoneleigh Rezoning Parcels



Printed 07/27/2021

www.interactiveGIS.com

Sources: Esri, DigitalGlobe, Earthstar Geographics CNES/Airbus DS, GeoEye, USDA, FSA, USGS, AeroGRID, IGN, IGP, and the GIS User Community

Rezoning Application Stoneleigh Associates, LLC and Stoneleigh Investments, LLC
Adjoining Parcel List

Tax Map No.	Owner	Address
125-A-L6A	Altitude JMU LLC	2902 Kennebrook Ct., Henrico VA 23294
125-A-L7A1	Stone Port Associates LLC	200 Reserve Blvd., Ste. 300, Charlottesville VA 22901
125-A-L7B	The Reserve at Stone Port I LLC	c/o Todd Dofflemyer, CEO, 200 Reserve Blvd., Ste. 300, Charlottesville VA 22901
125-A-L7B1	Rockingham County	20 E. Gay St., Harrisonburg, VA 22802
125-A-L7C	Cathcart AL 2 LLC	200 Reserve Blvd., Ste. 300, Charlottesville VA 22901
125-A-L7D	Dupont Community Credit Union	140 Lucy Ln., Waynesboro VA 22980
125-A-L8A	Crownpoint Harrisonburg LLC	187 Arrowroot Dr., Lyndhurst VA 22952
125-A-L8B	Rainbows End LC	c/o Andrea W. Pyles, 50 Hidden Acres Tr., Waynesboro VA 22980
125-A-L13	Raleigh H. Crist, Jr. & Gladys M. Crist	117 Chavis Ave., Lexington VA 24450
125-A-L14	Ashley Hartman & Gloria Ralston	117 Lime Kiln Ln., Churchville VA 24421
125-A-L16A	Ron L. Batterman & Tammy R. Estep	2212 Drumheller Dr., Rockingham VA 22801
125-A-L17	Anna O. Jameson	2753 Ridgedale Rd., Rockingham VA 22801
125-A-L18 &	Gerald & Mildred Blank	10975 White Rose Rd., Elkton VA 22827
125-2-L1	Life estate (Gerald T. Blank Jr. & Ronald L. Blank	-CHECK 2040 782
125-A-L25	Liskey Farms LLC	2308 Autumn Ln., Rockingham VA 22801
125-A-L26A	Ralph L. Housden II & Patricia Housden	1688 Port Republic Rd., Rockingham VA 22801
125-A-L126A	Linda Shirl May	14 Oak View Dr., Staunton VA 24401
125-17-L1	Rockingham Memorial Hospital – Tawnia Regan	6015 Poplar Hall Dr., Norfolk VA 23502
125-17-L1A	MPB Inc. c/o Sentara Healthcare Tax Dept	6015 Poplar Hall Dr., Norfolk VA 23502
125-20-L7	SPBO LLC	3 Boars Head Ln. #A, Charlottesville VA 22903
125-20-L6	A C T Properties Stone Port LLC *Wendys	885 Franklin Trpk., Danville VA 24540
125-21-L4	Wal-Mart Real Estate Business Trust	PO Box 8050, Bentonville AR 72716
	Property Tax Dept., Store No. 7177-00	(Note: GIS says VA but zip code is AR)
125-22-L5A	JL3 LLC	563 University Blvd., Ste. 110, Harrisonburg VA 22801
125-23-LA, L1, L2 & L5	Melvin & Naomi Real Estate LLC	7078 Blair Meadow Ln., Mt Crawford VA 22841
125-23-L3	Farmers & Merchants Bank	PO Box 1111, Timberville VA 22853
125-23-L4	AC Quell LLC c/o Shenandoah Oral & Facial Surgery	2031 Legacy Ln., Rockingham VA 22801
125-24-L1	Reserve at Stone Port II LLC	200 Reserve Blvd., Ste. 300, Charlottesville VA 22901
125-25-L11	Dewitt Crossing LLC	120 Osage Ln., Waynesboro VA 22980
125-27-L9A	Restaurant Property Investors IV LLC	2242 West Great Neck Rd., Virginia Beach VA 23451
125-27-L9B	Harrisonburg Car Wash Investments LLC	139 W. Davis St., Ste. 200, Culpeper VA 22701
125-27-L10	Summit Community Bank	PO Box 179, Moorefield VA 26836
125-31-L1	MSE Real Estate LLC	1921 Medical Ave., Harrisonburg VA 22801

125-33-L1	CBS Lot 18 LLC	420 Neff Ave., Ste. 220, Harrisonburg VA 22801
125D-1-L1	Timothy & Karen Green	141 N. Carlton St., Harrisonburg VA 22802
125D-1-L8	Ana Fajardo-Gomez	2638 Ridgedale Rd., Rockingham VA 22801
125D-1-L9	John H. Meck, Jr. & Catherine A. Meck	2014 Autumn Ln., Rockingham VA 22801
125G-12-L8	West Lake Space LLC	1502 Brookhaven Dr., Rockingham VA 22801
999-A-LROW	Roads/Railroads ROW	

4818-3409-2531, v. 3

Stoneleigh Investments, LLC

125-(A)-L7	20.202 acres	B1-C (primary) R3-C (secondary)
125-(A)-L15	0.456 acre	B1-C
125-(A)-L15A	0.561 acre	B1-C
125-(A)-L15C	0.704 acre	B1-C
125-(A)-L15D	2.08 acres	B1-C
125-(A)-L16	0.507 acre	B1-C
125-(A)-L16B	1.5920 acres	B1-C
125-(21)-L1	1.04 acres	B1-C
125-(21)-L2	1.386 acres	B1-C (primary) R3-C (secondary)
125-(21)-L3	2.577 acres	B1-C (primary) R3-C (secondary)

Stoneleigh Associates, LLC

125-(A)-L7A	18.02 acres	B1-C
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This rezoning application pertains only to those portions of 125-(A)-L7, 125-(21)-L2 and 125-(21)-L3 which are zoned B1 (commercial) and EXCLUDES those portions of such parcels which are zoned R3.

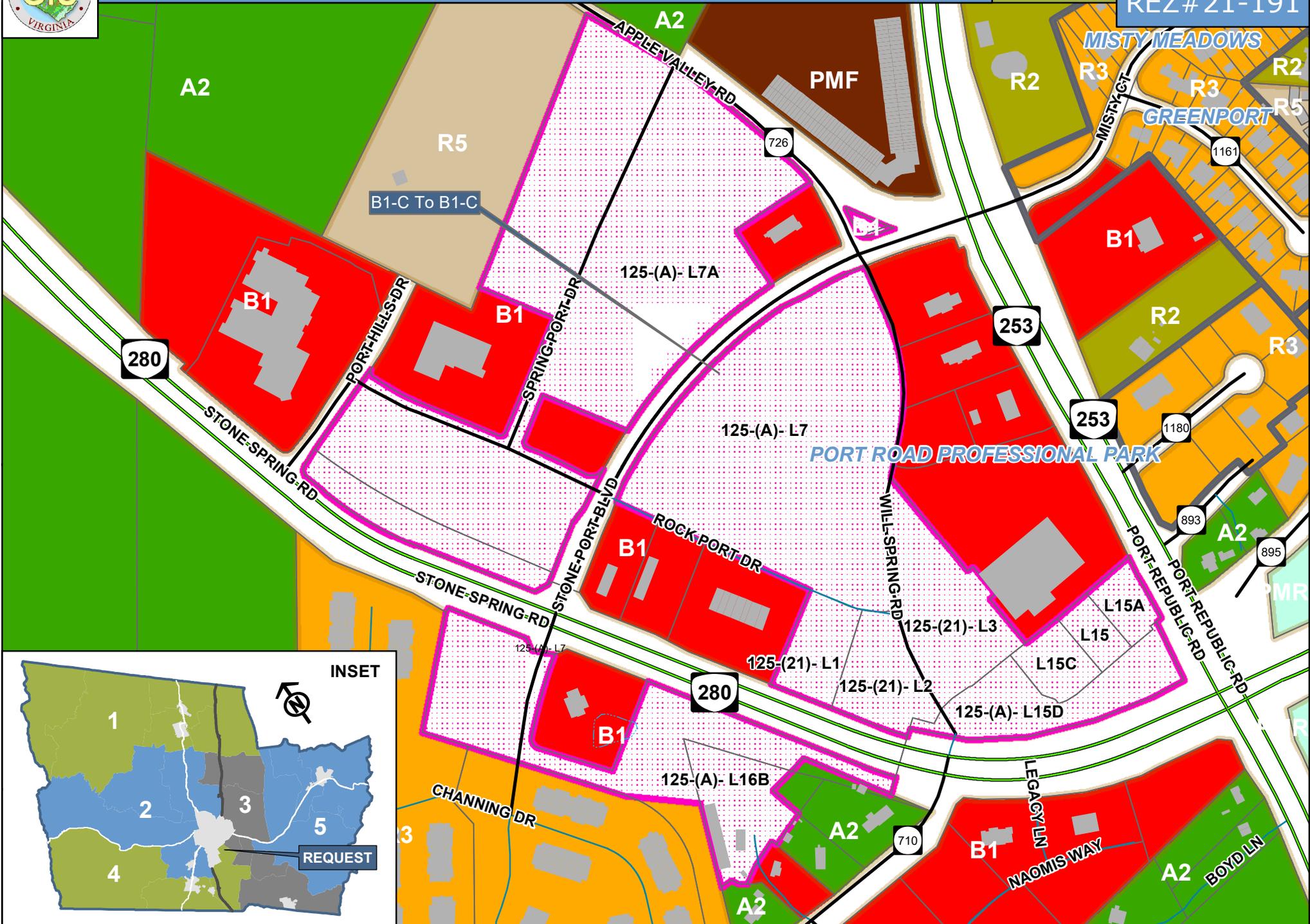


Stoneleigh Associates, LLC Rezoning Request

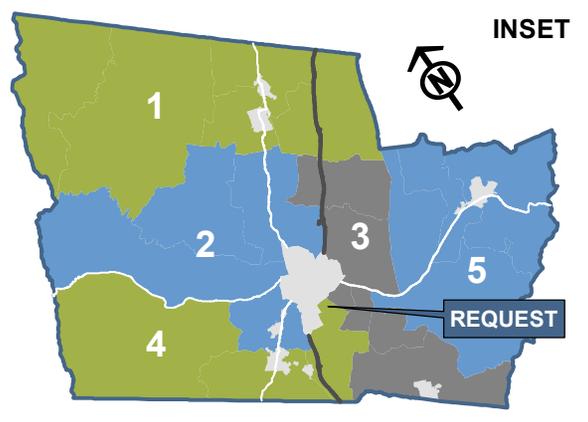


PC Hearing Date: 9/7/2021

REZ#21-191



B1-C To B1-C



STAFF NOTE

The following B1 uses would be allowed if the property is rezoned to amend the proffers from REZ14-144:

- Airport, heliport, or flight strip (special use)
- Buggy and harness shop, repair and sales
- Cab service (special use)
- Dwelling, live/work
- Event center
- Fitness Center
- Group home
- Impound lot
- Machinery and equipment center
- Mail services
- Mini-storage facility
- Motor vehicle sales lot
- Motor vehicle tow service
- Nursing home
- Parking facilities
- Shooting range, indoor (special use)
- Solar energy, large (special use)
- Solar energy, small
- Spa
- Sports complex
- Taxidermy (was by SUP, now by-right)
- Wind energy system, small-scale (special use)

AMENDMENT TO PROFFER STATEMENT

July 30, 2021

Rezoning Case # _____

Applicant/Owner: Stoneleigh Associates, LLC and Stoneleigh Investments, LLC
Tax Map Parcels: Stoneleigh Associates, LLC -- 125-(A)-L7A
Stoneleigh Investments, LLC --125-(21)-L1, 2*, 3*; 125-(A)-L7*, 16,
16B, 15, 15A, 15C, 15D
(Parcels marked with * include R-3C as well as B-1C according to online tax records)

This constitutes an Amendment to the existing proffers applicable to the above-referenced property as set forth in: (a) the attached letter dated October 6, 2014, which pertains to Tax Parcels 125-(A)-L15, 15C, 16 and 16B, and which 2014 proffers were extended to Tax Parcel 125-(A)-L15D by zoning approval on May 22, 2019, and (b) the attached letter dated December 20, 2010, from the County of Rockingham, Virginia, to Stoneleigh Development, as to the balance of the Property (the "Existing Proffers"). This proffer amendment pertains only to the permitted uses and special uses listed in the Existing Proffers (which provisions are highlighted on the attached), and nothing herein amends or modifies Sections 3, 4, 5, 6, or 7 of either of the Existing Proffers (which are identical) or as to the 2010 Existing Proffers, Section 8 or the Residential District Proffers, all of which shall remain in effect and binding on all property to which they relate.

Stoneleigh Associates, LLC and Stoneleigh Investments, LLC proffer that the use and development of those portions of the property which are currently zoned B-1C (and expressly excluding all portions of such property which are now zoned for residential use) shall be in strict accordance with the following conditions in lieu of the highlighted provisions in the Existing Proffers, in addition to the existing proffer conditions of the Existing Proffers which are not amended hereby and shall remain in effect:

- 1. The following uses are permitted in the B-1 development: All uses permitted in the B-1 (General Business) zone district under the Zoning Ordinance of Rockingham County, as now in effect and as it may be amended, subject to any Supplemental Standards that may be applicable under Section 17-605 the Zoning Ordinance.
- 2. The following special uses are permitted in the B-1 development with a special use permit: All special uses permitted in the B-1 (Business) zone district under the Zoning Ordinance of Rockingham County, as now in effect and as it may be amended, subject to any Supplemental Standards that may be applicable under Section 17-605 under the Zoning Ordinance .

The conditions set forth in this Amendment to Proffer Statement supercede the limitations on permitted uses and special uses in the highlighted provisions of the attached Existing Proffers, but do not amend any other portion of the Existing Proffers.

Stoneleigh Associates, LLC
By: 
Name: Edward F. Budd
Title: Sec/Treas, TroBudd, Inc.,
Manager
Date: 8/3/21

Stoneleigh Investments, LLC
By: 
Name: Edward F. Budd
Title: Sec/Treas, TroBudd, Inc,
Manager
Date: 8/3/21



**ROCKINGHAM COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT**

REZONING CASE REPORT REZ21-192

Applicant	Great Eastern Resort Corporation
Address/Location	Located 0.3 mile southwest of the intersection of Bloomer Springs Rd. (Rte. 646) and Resort Dr. (Rte. 644)
Tax Map#	128-(A)- L132 & L133
Acreage	9.98 acres
Present Zoning	R-4 Planned Resort District
Proposed Zoning	R-4 Planned Resort District (Master Plan Amendment)
Election District	5
Comprehensive Plan	Residential within Urban Growth Boundary
Staff Recommendation	Denial, September 2, 2021
Planning Commission	
Board of Supervisors	

OVERVIEW

The applicant has requested a rezoning to amend the Master Plan by changing 9.98 acres of Blue Ridge Acres (labelled as Type NN), from Area A (single-family dwelling) use to Area B (townhouse) use. The Master Plan Classification Chart and Tract Schedule would be amended to reflect the proposed townhouses designated as Type NN-B, Blue Ridge Acres. The Planned Total Residential Units in the Classification Chart would remain unchanged.

Proffered Conditions

The proffers state that no more than 95 townhouses would be constructed within Tract NN-B and a 15-foot-deep vegetated buffer would be maintained along the north and west property lines. Within disturbed areas and where the proposed townhouses are below the grade of adjacent houses, the proposed buffer would also contain a 6-foot opaque fence along the shared property line. No timeshare units would be permitted.

STAFF AND AGENCY ANALYSIS

PLANNING & ZONING

Comprehensive Plan Consistency

This site is designated as Existing Resort-Related Development in the McGaheysville Area Plan, and the Comprehensive Plan designates nearly all of Massanutten Village as Community Residential. Community Residential areas are “planned for a variety of housing types, but primarily single-family detached homes.”

Zoning Consistency

The R-4 district permits master-planned, and generally self-contained, development that includes a variety of light commercial facilities within village centers, residential accommodations, and recreational facilities that cater to resort visitors and residents.

FIRE AND RESCUE

This request is located within the McGaheysville Volunteer Fire Department and the East Rockingham Emergency Services stations respective first due area. This project will need to meet the requirements of the Rockingham County Fire Prevention Code.

PUBLIC WORKS

This parcel lies outside of the County utilities service area. Water and Sewer services for Massanutten Village will be provided by Utilities, Inc. and is currently within the MPSC franchise area.

ENVIRONMENTAL SERVICES

Environmental Services has no comment for the amendment. Any environmental concerns will be addressed during the site plan process.

COUNTY SCHOOLS

According to our generation reports we would expect 90 townhouses to have the following impacts on the school division:

- East Rock High School = 19 additional students (No data for high schools, so the middle school data was used)
- Elkton Middle School = 19 additional students
- McGaheysville Elementary School = 30 additional students

Current enrollment at McGaheysville Elementary and East Rock High School shows that there would be no issues with this proposed development. Elkton Middle School currently has 555 students with a capacity of 610. With the addition of the students coming from South River Elementary, this project could put Elkton Middle near or over capacity.

Two additional buses would be needed in this area to accommodate this project. We would suggest that facilities be included for bus pick up locations at one or each entrance to accommodate a bus stop and the potential for parents waiting with their children.

VIRGINIA DEPARTMENT OF HEALTH

The Health Department has no comment on this proposal.

VIRGINIA DEPARTMENT OF TRANSPORTATION

Bloomer Springs Road (Route 646)

- **Functional Class:** Local
- **Speed Limit:** 40 mph
- **Annual Average Daily Trips:** 360 vpd (2019)

VDOT Comments:

1. The rezoning does not appear to require a Chapter 527 Low Volume Submission Traffic Impact Analysis (TIA). This warrant would only be triggered if the development is expected to generate a net difference in potential traffic generation equal to or exceeding the existing volume on the public road AND has a difference of over 400 vehicle trips per day. It appears that the existing planned area 'A' allows for 1.5 single family units per acre (15 single family homes) while the proposal will allow for a maximum of 95 total units. Based on the VDOT preliminary traffic computations, the net difference in traffic generation will be at or just below the required 400 vehicle trips per day when compared to the current zoning. That said, VDOT recommends that the Engineer provide a traffic generation statement to verify the VDOT preliminary computations prior to hearing the rezoning.
2. VDOT maintained streets must be designed and constructed in accordance with the Secondary Street Acceptance Requirements (SSAR, GS-SSAR). The SSAR requires multiple connections in multiple directions. A waiver is considered if the surrounding areas are built out; the looping roadway

network also makes an exception more favorable. Other more typical design features would be reviewed during the construction plan process.

3. VDOT maintained streets must meet a public service requirement. This includes at least three separately owned and occupied lots. The preliminary plan does not appear to be creating separate lots. Public streets may serve other residential developments, such as multi-family units, as long as the streets are constructed in such a way as not to resemble a parking lot. For the streets to be eligible for state maintenance, the townhomes either need to be constructed on separately owned lots or have entrances to parking areas off the public roadways. As designed, the driveways are essentially a continuous row of perpendicular parking along the street. Since on-street parking is not feasible in most of the areas, overflow parking areas should be considered.
4. Any entrance/intersection to a state-maintained roadway will be required to meet the requirements of Appendix F of the VDOT Road Design Manual. The southern street intersection does not appear to meet intersection sight distance and any easement would run through the proposed buildings. There is a location near the inside of the curve on Bloomer Springs that would meet sight distance requirements. All internal street intersections, if remaining public, will also be required to meet sight distance requirements and other design parameters in the Appendix.
5. VDOT is willing to meet to discuss these comments upon request.

(Staff Note: see Valley Engineering response and VDOT's concurrence with Valley Engineering's response. Both documents are attached.)

STAFF RECOMMENDATION: Denial

September 2, 2021

The proposed townhouses lack compatibility with surrounding residential development to the north, west, and along Bloomer Springs Road. This housing type would be more appropriately located in an area with a higher concentration and variety of development. Additionally, Rockingham County Public Schools has expressed concern regarding Elkton Middle School's capacity.

ROCKINGHAM COUNTY REZONING APPLICATION

Prior to submitting this application, the applicant must have a preliminary meeting with a planner in the Department of Community Development. No application can be accepted until this meeting is held. Call 540-564-3033 for an appointment.

APPLICANT'S CHECKLIST:

- Complete this application and sign the front and back.
- Enclose a boundary map of the property, showing a metes and bounds description of the area to be rezoned. The map cannot be larger than 11" x 17".

FOR OFFICE USE ONLY		PLANNED DISTRICT
Applicant Meeting Date:	Planner:	REZZI - 192
Application Fee: \$	Receipt #	Date Received:
Taxes Paid:	Staking Given:	
Deadline Date:	PC Hearing Date: <u>SEP 7, 2021</u>	BOS Hearing Date: <u>OCT 27, 2021</u>

APPLICANT: Great Eastern Resort Corporation Check if: Owner: Contract Purchaser:

MAILING ADDRESS: PO Box 6006, Charlottesville, VA EMAIL: mshiflet@massresort.com

CONTACT PERSON: Mike Shiflet DAYTIME PHONE: 540-289-4993

Send notices to you? If so, include postal and email address: mshiflet@massresort.com ; cgeorge@valleyesp.com ; tcrhea@clark-bradshaw.com

LOCATION: S E W of (Road Name) Bloomer Springs Road (Route #) 646
 approximately 1/4 miles/feet S E W of (Road Name) Resort Drive
 (Route #) 644 in Election District # 5.

TAX MAP(S) #: 128-(A)-L132, 128-(A)-L133 PRESENT USE: Residential
 (Tract 'NN')

NUMBER OF ACRES IN REZONING REQUEST: ± 10 ac. FROM R-4 ZONING TO R-4
 (Area 'A') (Area 'B')

INDICATE METHOD OF:

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <u>Water Supply</u> County Water City Water * <u>Community System</u> Well Cistern | <ul style="list-style-type: none"> <u>Sewage Disposal</u> County Sewer City Sewer * <u>Community System</u> Septic System Alternative (Specify) _____ |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

* If City water and/or sewer are selected, applicant must have full approval by City and County prior to submitting this rezoning application.

Virginia law permits the landowner to offer conditions (proffers) governing the use of the property. The conditions (proffers) would add to, or modify, the use of the property that the landowner is requesting to be rezoned. These conditions (proffers) must be presented to the Community Development Office in letter form.

Michael L. Shiflet
 Signature of Landowner

Michael L. Shiflet
 Signature of Applicant or Agent

ADJACENT PROPERTY OWNERS LIST

Site Plan #	Name	Mailing Address	City	State	Zip Code	Zoning
1	MASSANUTTEN PROPERTY OWNERS ASSOCIATION INC	3981 MASSANUTTEN DR	MCGAHEYSVILLE	VA	22840	R4
2	BROADAWAY, ISAAC H & LYNDA L	185 FORT RD	MCGAHEYSVILLE	VA	22840	R4
3	EVICK, LAURA S	7559 TALL CEDARS LN	BRIDGEWATER	VA	22812	R4
4	MASSANUTTEN PROPERTY OWNERS ASSOCIATION INC	3981 MASSANUTTEN DR	MCGAHEYSVILLE	VA	22840	R4
5	CARUSO, FRANK A & CLAUDIA R	14323 VIVALDI CT	BURTONSVILLE	MD	20866	R4
6	STOVER, ROBERT LEE II & JOY SMITH	159 POWELL PL	MCGAHEYSVILLE	VA	22840	R4
7	MCCARTHY, DEBRA L	169 POWELL PL	MCGAHEYSVILLE	VA	22840	R4
8	SHENANDOAH VALLEY INVESTMENTS LLC	2185 MOCKINGBIRD LN	ELKTON	VA	22827	R4
9	ARMSTRONG ,ALBERT J & HEATHER E	2708 ESKERS CT	VIRGINIA BEACH	VA	23456	R4
10	THOMAS, GLENN & PATRICIA	219 POWELL PL	MCGAHEYSVILLE	VA	22840	R4
11	VEYSEL, ANT & CLAUDIA H	3095 FLINT AVE	ROCKINGHAM	VA	22801	R4
12	JONES, COREY B	139 ROLLINSON ST	WEST ORANGE	NJ	7052	R4
13	MASSANUTTEN PROPERTY OWNERS ASSOCIATION INC	3981 MASSANUTTEN DR	MCGAHEYSVILLE	VA	22840	R4
14	MORAN, KENNETH R & DARLENE R WOLFE	6072 SPOTSWOOD TRL	PENN LAIRD	VA	22846	A2
15	SNEAD, DAVID W	1207 BLOOMER SPRINGS RD	MCGAHEYSVILLE	VA	22840	R4
16	HITT, TERRY L & SCHERRY H	1253 BLOOMER SPRINGS RD	MCGAHEYSVILLE	VA	22840	R4
17	LAM, AMOS F JR	1259 BLOOMER SPRINGS RD	MCGAHEYSVILLE	VA	22840	R4
18	TAYARA, MAHAR AL	1283 BLOOMER SPRINGS RD	MCGAHEYSVILLE	VA	22840	R4
19	REEDY, BOBBY L & JEANNIE L	1291 BLOOMER SPRINGS RD	MCGAHEYSVILLE	VA	22840	R4
20	HENSLEY, ALLAN LANE & DONNA JUNE HILL & JUANITA LUCILLE	7502 ARCH DR	MOUNT CRAWFORD	VA	22841	A2
21	HARPLEY, CHRISTOPHER CONANT & JUANITA LUCILLE	301 LANE CRESCENT	SMITHFIELD	VA	23430	A2
22	HALL, DAVID C & AMELIA M	1380 BLOOMER SPRINGS RD	MCGAHEYSVILLE	VA	22840	R4
23	SMITH, TODD M & JEANETTE M	1422 BLOOMER SPRINGS RD	MCGAHEYSVILLE	VA	22840	R4
24	PARLEE, BARBARA M	905 RESORT DR	MCGAHEYSVILLE	VA	22840	R4

**MASSANUTTEN VILLAGE MASTER PLAN AMENDMENT REQUEST
GREAT EASTERN RESORT CORPORATION**

PROJECT NARRATIVE

July 27, 2021

Since the previous Master Plan Amendment in 2007 and addition of the Springston Regals in 2018, Massanutten Village has remained as a strong and growing community of Rockingham County. Great Eastern and the Massanutten Property Owners Association continuously improve upon the existing community amenities as well as producing new and innovative facilities throughout the resort itself and its surrounding area to maintain the quality of life for home owners and guests year around. This amendment requests a minor adjustment to the Master Plan tract schedule (moving ±10 acres of Tract ‘NN’ from Area ‘A’ to Area ‘B’) to allow for townhome uses.

Project Objective

The project’s objective is to expand affordable housing choices in the Resort area to allow local residents and Resort employees housing options at price points accessible to median community incomes. Doing so at this site will also reduce workforce commuting distances to the Resort’s employment concentration area, improving area congestion along Highway 33 during peak commuting times. Traditionally available single family detached housing inventory in the resort area is currently being targeted to recreational, transient rental purposes, largely due to proximity to the resort, thus creating a shortage and raising costs for permanent residents working throughout the area.

Water and Sewer

Water and sewer services for Massanutten Village will be provided by Utilities, Inc, and is currently within the MPSC franchise area. All required lines, pump stations, treatment facilities, and other components of the systems have been or will be installed by the developer and owned and maintained by Utilities, Inc.

Proffers

The Applicant has agreed to limit units within “Tract NN-B” to 95 units.



Great Eastern Resort Corporation Rezoning Request



PC Hearing Date: 9/7/2021

REZ# 21-192

MASSANUTTEN UNIT 3

MASSANUTTEN UNIT 5

R4

ALLEGHANY DR

POWELL PL

LANIER LN

FORT RD

R4 To R4

646

BLOOMER-SPRINGS RD

A2

RR1

644

R4

128-(A)- L133

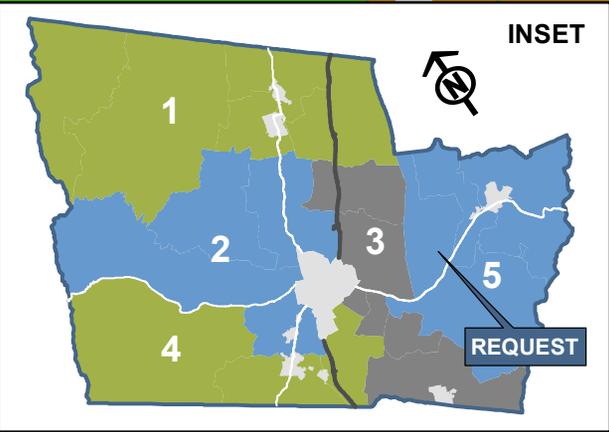
128-(A)- L132

PEAR TREE LN

FLOWER DR

RHODODENDRON CT

PINEY MOUNTAIN ACRES



**MASSANUTTEN VILLAGE MASTER PLAN AMENDMENT REQUEST
GREAT EASTERN RESORT CORPORATION**

PROJECT NARRATIVE

July 27, 2021, Revised 8-31-21

Since the previous Master Plan Amendment in 2007 and addition of the Springston Regals in 2018, Massanutten Village has remained as a strong and growing community of Rockingham County. Great Eastern and the Massanutten Property Owners Association continuously improve upon the existing community amenities as well as producing new and innovative facilities throughout the resort itself and its surrounding area to maintain the quality of life for home owners and guests year around. This amendment requests a minor adjustment to the Master Plan tract schedule (moving ± 10 acres of Tract ‘NN’ from Area ‘A’ to Area ‘B’) to allow for townhome uses.

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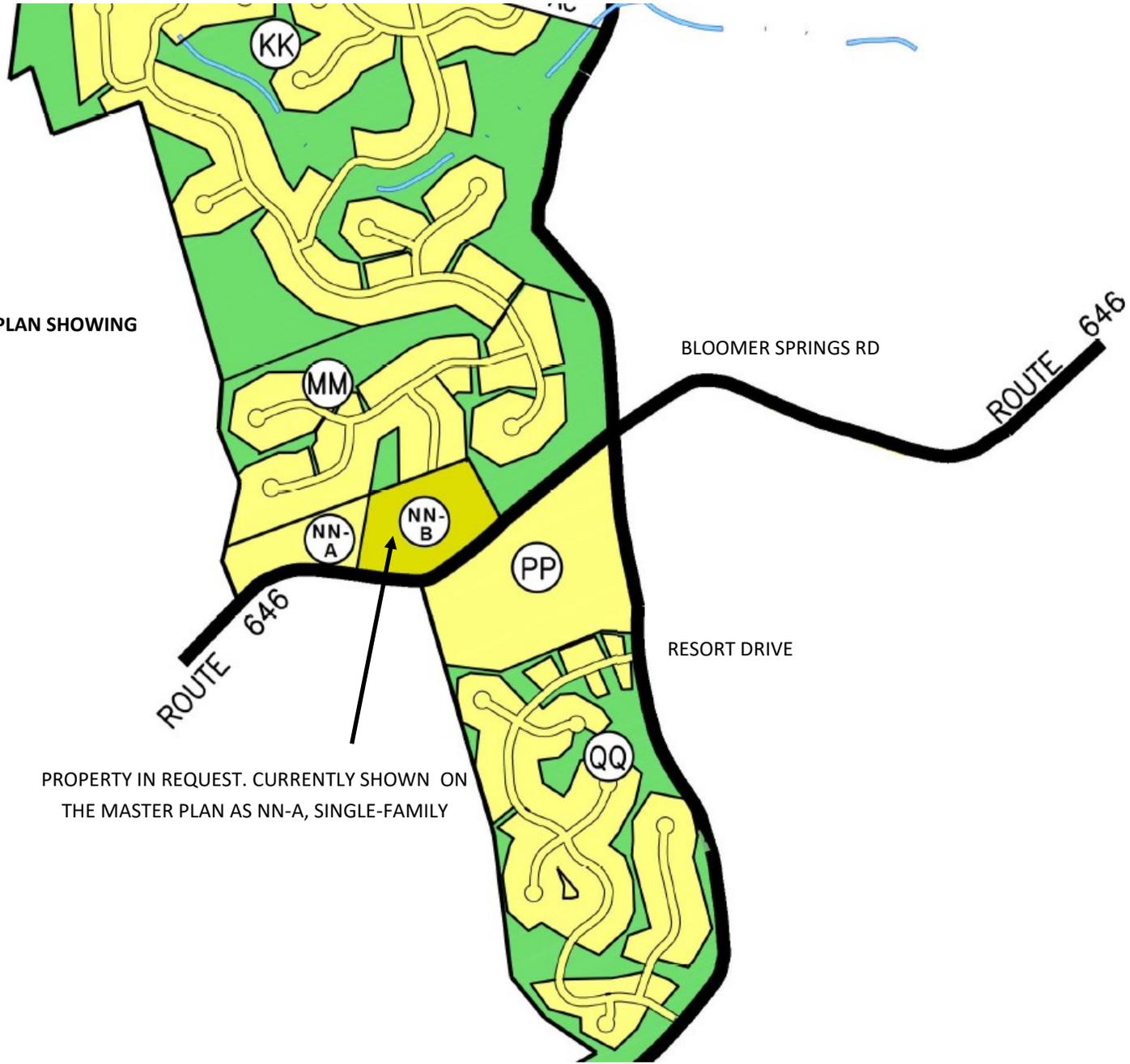
Lighting

All outdoor lighting, including the placement, orientation, distribution patterns and fixture types of outdoor lights, shall be installed to minimize light trespass while meeting the minimum street light requirements described in section 17.706 of the Rockingham County Code of Ordinances.

Proffers

The Applicant has agreed to limit units within “Tract NN-B” to 95 units.

DETAIL FROM PROPOSED MASTER PLAN SHOWING
AREA IN REQUEST.



PROPERTY IN REQUEST. CURRENTLY SHOWN ON
THE MASTER PLAN AS NN-A, SINGLE-FAMILY

TRACT SCHEDULE FROM PROPOSED MASTERPLAN

TRACT SCHEDULE (AREAS A,B,C,VILLAGE CENTER,OPEN AREA)					
TRACT	DEVELOPMENT	UNITS	DEVELOPED AREA	OPEN AREA	TOTAL AREA
(A)	SKISIDE COURTS	24	8.11 AC	11.18 AC	19.29 AC
(B)	SKISIDE COURTS EAST	44	5.04 AC.	1.91 AC	6.95 AC
(D)	RECREATIONAL AREA	X	X	6.16 AC	144.541 AC
(F)	VILLAGE WOODS	98 LOTS	31.68 AC	44.10 AC	75.78 AC
(G)	SVOA	X	X	X	2.068 AC
(H)	VILLAGE SQUARE	290 HOTEL	X	X	41.639 AC
(J)	MPOA	X	X	X	8.40 AC
(U)	UNIT 9	54	18.77 AC	37.09 AC	55.86 AC
(V)	UNIT 10	32	9.64 AC	10.44 AC	20.08 AC
(Y)	LE CLUB	X	X	X	8.96 AC
(AA)	UNIT 4	269	74.10 AC	98.74 AC	172.84 AC
(BB)	UNIT 6	67	20.72 AC	10.42 AC	31.14 AC
(CC)	UNIT 1	70	21.71 AC	31.15 AC	52.86 AC
(DD)	HOPKINS PARK	X	X	9.08 AC	9.08 AC
(GG)	UNIT 4C	X	X	3.45 AC	3.45 AC
(HH)	UNIT 2	91	30.78 AC	36.98 AC	67.76 AC
(JJ)	J. HOPKINS III-QUAIL'S NEST	9	.373 AC	4.577 AC	4.95 AC
(KK)	UNIT 3	190	64.52 AC	74.57 AC	139.09 AC
(LL)	GREENVIEW HILLS	195	58.20 AC	45.75 AC	103.95 AC
(MM)	UNIT 5A	76	26.00 AC	21.20 AC	47.20 AC
(NN-A)	BLUE RIDGE ACRES-A	5	± 6.0 AC	X	± 6.0 AC
(NN-B)	BLUE RIDGE ACRES-B	95	± 10.0 AC	X	± 10.0 AC
(PP)	SWANEY(FORM.PINEY MT.RES.)	1	1.00 AC	22.16 AC	23.16 AC
(QQ)	PINEY MT. ACRES	116	34.60AC	36.13 AC	70.73 AC
(RR)	MAINTENANCE AREA	X	1.95	X	1.95 AC
(SS)	ENTRANCE & GATE HOUSE	X	X	X	3.30 AC

MASSANUTTEN VILAGE ZONING AMENDMENT REQUEST (R-4 MASTER PLAN)

PROFFER STATEMENT

DATE: July 27, 2021 (Rev. #1, 8-31-21)

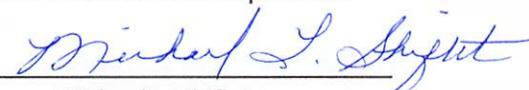
RE: R-4 Master Plan Amendment
Owner: Great Eastern Springston, LLC
Rezoning Case No:
Tax Map Number: 128-(A)-L132 and 128-(A)-L133

Great Eastern Springston, LLC hereby proffer(s) that the use and development of this property shall be in strict accordance with the following conditions:

1. Density of the development (Tract NN-B) shall not exceed 95 units.
2. The Applicant shall provide a buffer along the north and west boundaries of the project as depicted on the Preliminary Site Plan (Exhibit 'A'), dated 8-31-21. Where feasible, existing vegetation will be preserved within 15 feet of the property line (Type 1 Buffer). If existing vegetation can't be saved due to grading or does not provide a visual barrier between the developed property and the adjacent properties the buffer shall be enhanced with evergreen shrubs. Screening shrubs shall provide a visual barrier of at least 6 ft. minimum height (at maturity) between existing homes and the proposed development. See Buffer Cross-Section Type 1 (Exhibit C) for a typical scenario where a Type 1 buffer shall be provided. Within disturbed areas and/or where the proposed townhomes are below the grade of the adjacent homes, the proposed buffer shall contain a 6 ft. tall opaque fence that is located at the property line (Type 2 Buffer). If existing utilities are located at or near the property line, the proposed fence shall be located to avoid utility conflicts. See Buffer Cross-Section Type 2 (Exhibit C) for a typical scenario where a Type 2 buffer shall be provided.
3. Prior to the sale of any Lot, there shall be established a Property Owners' Association (controlled by residents and/or developer) for the management and control of any common areas and to govern property appearance.
4. This project will not include timeshare units.

The conditions set forth in this proffer statement supersede all conditions set forth in previous proffer statements submitted as part of this application.

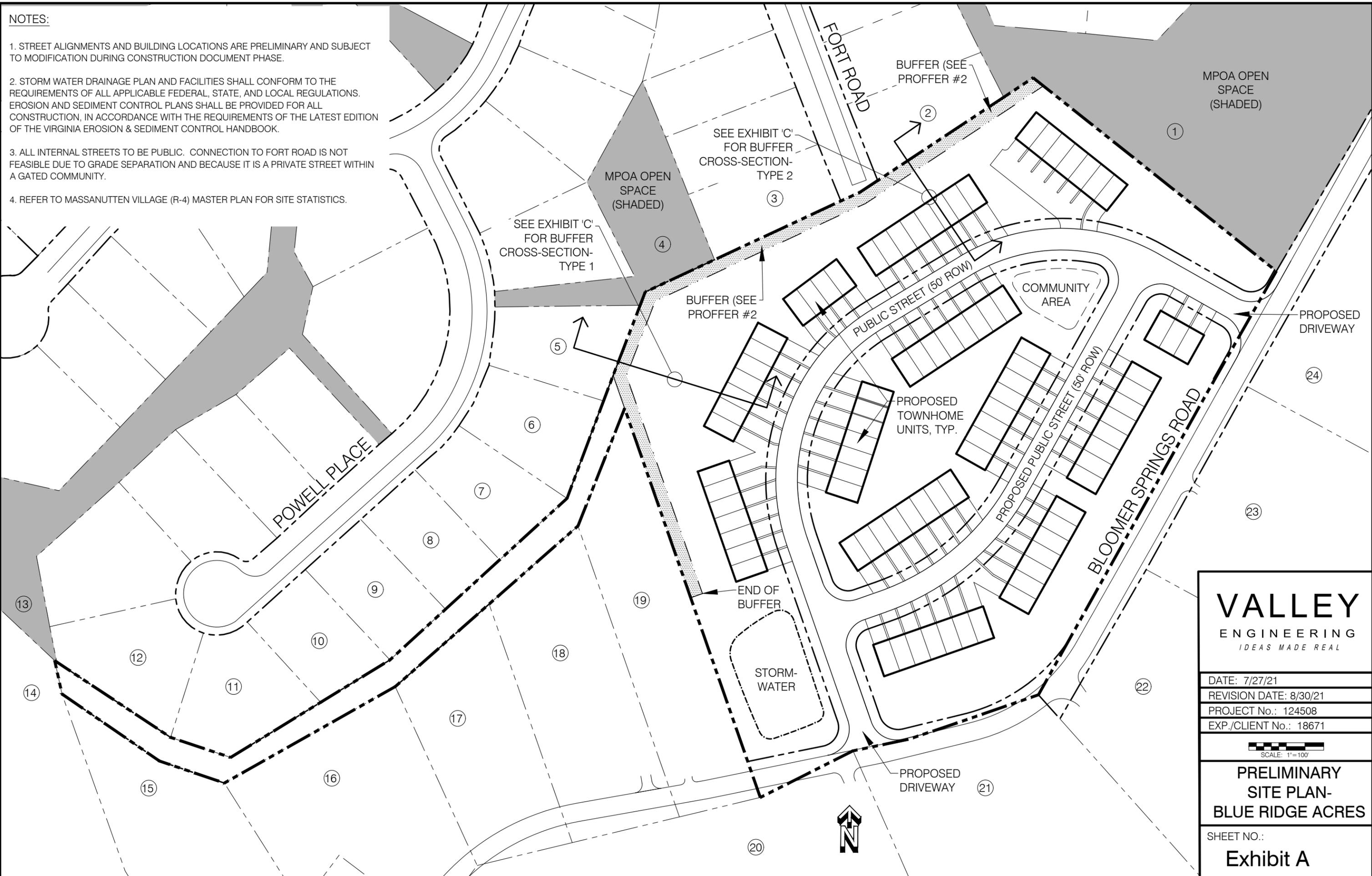
Great Eastern Resort Corporation

By: 
Michael L. Shiflet

Its: Vice President

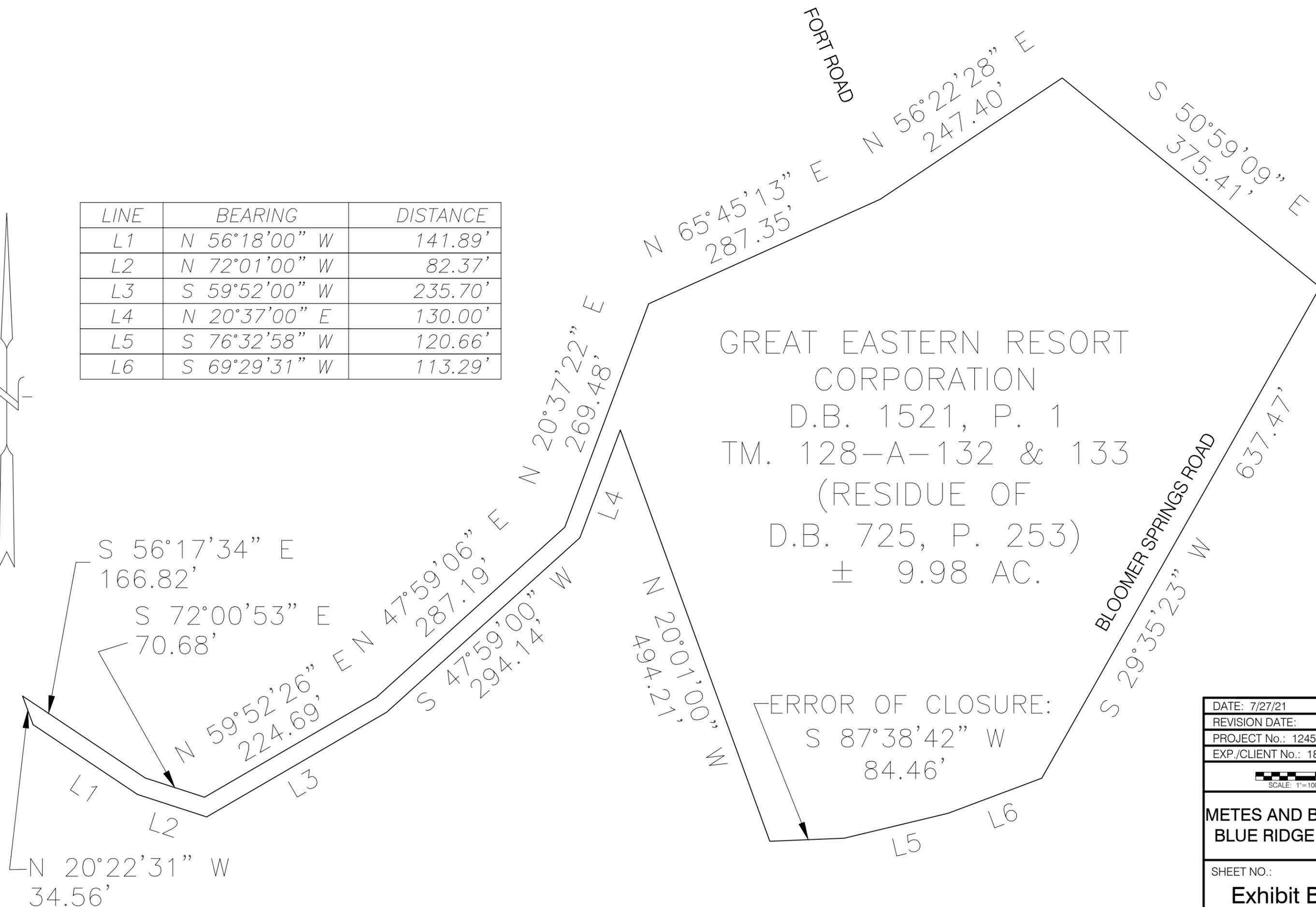
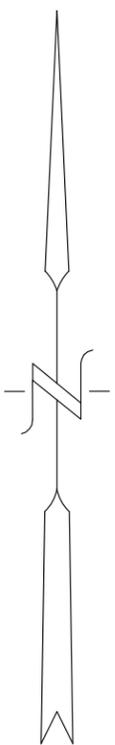
NOTES:

1. STREET ALIGNMENTS AND BUILDING LOCATIONS ARE PRELIMINARY AND SUBJECT TO MODIFICATION DURING CONSTRUCTION DOCUMENT PHASE.
2. STORM WATER DRAINAGE PLAN AND FACILITIES SHALL CONFORM TO THE REQUIREMENTS OF ALL APPLICABLE FEDERAL, STATE, AND LOCAL REGULATIONS. EROSION AND SEDIMENT CONTROL PLANS SHALL BE PROVIDED FOR ALL CONSTRUCTION, IN ACCORDANCE WITH THE REQUIREMENTS OF THE LATEST EDITION OF THE VIRGINIA EROSION & SEDIMENT CONTROL HANDBOOK.
3. ALL INTERNAL STREETS TO BE PUBLIC. CONNECTION TO FORT ROAD IS NOT FEASIBLE DUE TO GRADE SEPARATION AND BECAUSE IT IS A PRIVATE STREET WITHIN A GATED COMMUNITY.
4. REFER TO MASSANUTTEN VILLAGE (R-4) MASTER PLAN FOR SITE STATISTICS.

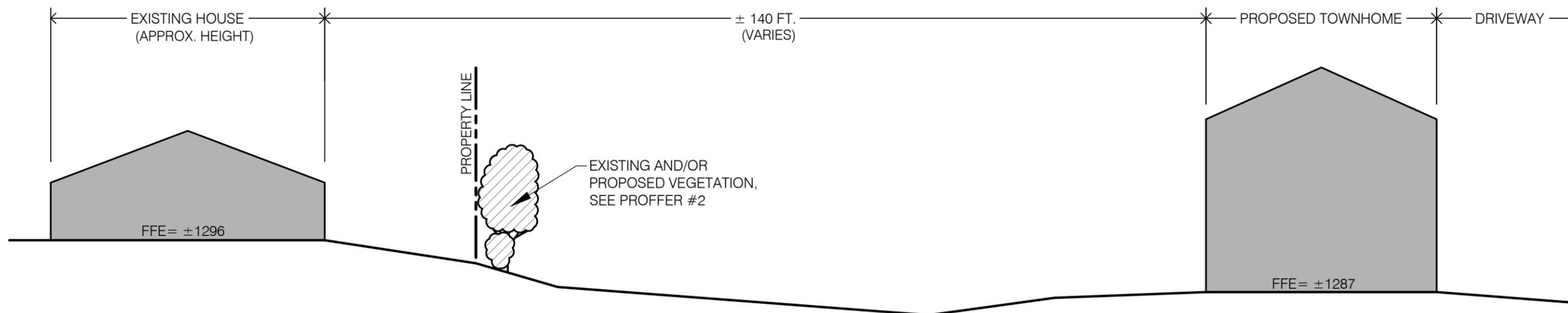


<h2 style="margin: 0;">VALLEY</h2> <p style="margin: 0;">ENGINEERING <i>IDEAS MADE REAL</i></p>
<p>DATE: 7/27/21</p>
<p>REVISION DATE: 8/30/21</p>
<p>PROJECT No.: 124508</p>
<p>EXP./CLIENT No.: 18671</p>
<p>SCALE: 1"=100'</p>
<p>PRELIMINARY SITE PLAN- BLUE RIDGE ACRES</p>
<p>SHEET NO.:</p> <p style="font-size: 1.2em; font-weight: bold;">Exhibit A</p>

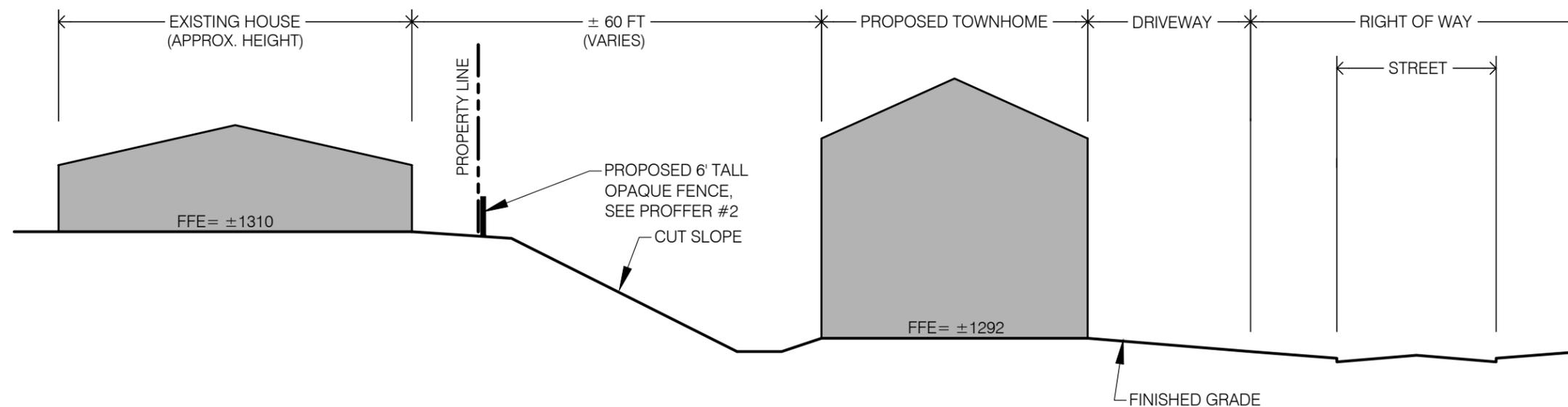
LINE	BEARING	DISTANCE
L1	N 56°18'00" W	141.89'
L2	N 72°01'00" W	82.37'
L3	S 59°52'00" W	235.70'
L4	N 20°37'00" E	130.00'
L5	S 76°32'58" W	120.66'
L6	S 69°29'31" W	113.29'



DATE: 7/27/21
REVISION DATE:
PROJECT No.: 124508
EXP./CLIENT No.: 18671
 <small>SCALE: 1"=100'</small>
METES AND BOUNDS- BLUE RIDGE ACRES
SHEET NO.:
Exhibit B



BUFFER CROSS SECTION TYPE 1-
EXISTING AND/OR PROPOSED VEGETATION
NOT TO SCALE



BUFFER CROSS SECTION TYPE 2- FENCE
NOT TO SCALE

VALLEY
ENGINEERING
IDEAS MADE REAL

DATE: 8/31/21
REVISION DATE:
PROJECT No.: 124508
EXP./CLIENT No.: 18671



TYPICAL BUFFER
CROSS-SECTIONS-
BLUE RIDGE ACRES

SHEET NO.:
Exhibit C

**ORDINANCE AMENDING
SECTION 17-309.02
OF THE CODE OF ORDINANCES OF
ROCKINGHAM COUNTY, VIRGINIA**

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF ROCKINGHAM COUNTY VIRGINIA:

That Section 17-309.02(e). requirements for MH-1, Mixed Home District, be amended as follows:

~~(e) No less than forty (40) percent of homes in the mixed home subdivision shall be manufactured homes.~~

All other portions of Section 17-309.02 are re-affirmed.

This ordinance shall be effective from the _____ day of _____, 2021.

Adopted the _____ day of _____ 2021.

Aye Nay Abstain Absent

- Supervisor Ritchie
District 1
- Supervisor Wolfe-Garrison
District 2
- Supervisor Chandler
District 3
- Supervisor Kyger
District 4
- Supervisor Breeden
District 5

Rick L. Chandler
Chairman of the Board of Supervisors

ATTESTE:

Stephen King,
Clerk to the Board of Supervisors

Ordinance Amendment Action:

Staff Recommendation

Approval, August 9, 2021

This is a staff-generated ordinance amendment to remove the requirement that forty (40) percent of the homes in the mixed home district shall be manufactured homes. Recent development in the mixed-home district has shown a preference for modular or stick-built homes and this amendment would allow for market conditions to prevail.

Planning Commission

Approval, September 7, 2021

The Planning Commission recommended approval with a 4-0 vote.

**ORDINANCE AMENDING TABLE 17-606,
LAND USE AND ZONING TABLE OF THE CODE OF ORDINANCES OF
ROCKINGHAM COUNTY, VIRGINIA**

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF ROCKINGHAM COUNTY, VIRGINIA:

That Table 17-606, Land Use and Zoning Table be amended as follows:

	Table 17-606. Land Use and Zoning Table																					
	A-1	A-2	RV	RR1	R-1	R-2	R-3	PS F	P G	R-4	R-5	M H1	M H P	M X U	B-1	B-2	PC D	P M R	I-1	PI D	S-1	
Impound lot	SU*	SU*													P*	SU*				P	P	
Laundry, commercial or industrial															P	SU*			P	P	P	
Machinery & Equipment Center	SU*	SU*	P*												P*	SU*	P		P	P		
Mini-storage facility	SU*	SU*	SU*												P*	SU*				P*	P*	
Motor vehicle sales lot															P*	SU*	P*		P	P		
Sales of manufactured homes, campers, camper trailers, and recreational vehicles exempt from enclosure															P	SU*				SU	P	

All other parts of Table 17-606 are re-affirmed.

That Section 17-607, supplemental standards be amended as follows:

Impound lots.

In the A-1 and A-2 zoning district, impound lots shall be accessory to an existing legally approved motor vehicle repair shop or as part of a special use permit application for a motor vehicle repair shop.

Shall be by special use permit in the Urban Development Area shown on the comprehensive plan.

Laundry, commercial or industrial

Shall be by special use permit in the Urban Development Area shown on the comprehensive plan.

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Machinery and equipment center

In the A-1, A-2, and RV zoning districts:

- (1) No more than ten (10) pieces of equipment awaiting service or pick-up shall be parked outside the structure.
- (2) Only agricultural machinery and equipment shall be rented, sold, maintained, or repaired.
- (3) Outside display or outdoor commercial storage shall comply with article VII.
- (4) Hours open to the public shall be limited to 6:00 a.m. to 9:00 p.m.

Shall be by special use permit in the Urban Development Area shown on the Comprehensive Plan.

Mini-storage facility

- (a) All storage shall be located entirely within the structure except an outside screened area may be included for storage of unoccupied, operational, recreational vehicles.
- (b) No hazardous, toxic, or explosive materials shall be stored on the premises. Signs shall be posted within the facility describing such limitations.
- (c) Hours of operation shall be limited to 6:00 a.m. to 9:00 p.m.
- (d) No businesses shall be operated inside any unit of the mini-storage facility.

(e) Shall be by special use permit in the Urban Development Area shown on the Comprehensive Plan.

Motor vehicle sales lot

- (1) In the B-1 and PCD zoning districts, there shall be no sale of vehicles requiring a CDL license to operate or a gross vehicle weight of more than twenty-six thousand (26,000) pounds.

(2) Shall be by special use permit in the Urban Development Area shown on the Comprehensive Plan.

Sales of manufactured homes, campers, camper trailers, and recreational vehicles exempt from enclosure

Shall be by special use permit in the Urban Development Area shown on the Comprehensive Plan.

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This ordinance shall be effective from the ____ day of _____, 2021.

Adopted the ____ day of _____, 2021.

Aye Nay Abstain Absent

Supervisor Ritchie

District 1

Supervisor Wolfe-Garrison

District 2

Supervisor Chandler

District 3

Supervisor Kyger

District 4

Supervisor Breeden

District 5

Rick Chandler,
Chairman of the Board of Supervisors

ATTESTE:

Stephen King,
Clerk to the Board of Supervisors

Ordinance Amendment Action:

Staff Recommendation

Approval, August 9, 2021

This is a staff-generated ordinance amendment to require a special use permit for certain land uses in the Urban Development Area of the Comprehensive Plan. Requiring a special use permit for these uses would allow the Board of Supervisors to review the specific request for compatibility with the goals of the comprehensive plan/UDA.

Planning Commission

Approval, September 7, 2021

On a vote of 4-0, the Planning Commission recommended approval of this ordinance amendment.



**ROCKINGHAM COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT**

REZONING CASE REPORT AF21-197

Applicant	Sheila Bowman
Address/Location	7467 Mill Creek Church Road, Mt. Crawford, VA 22841
Tax Map#	151-(A)- 92
Acreage	2.878
Present Zoning	A2- General Agriculture
Proposed Zoning	Added to the AF7 - Cross Keys North District
Election District	3
Comprehensive Plan	Agricultural Reserve
Staff Recommendation	Approval, August 31, 2021
Planning Commission	
Board of Supervisors	

GENERAL INFORMATION

OVERVIEW/BACKGROUND:

The portion of the property in this request is being conveyed by adjoining land transfer to parcel 151-(A)- L93 owned by Sheila Bowman. Ms. Bowman's property is in the Cross Keys North (AF7) Ag Forestal District and Section 17-502.03(b) states that "All parcels included in the district must be located fully within the district; no portion of a district parcel shall lie outside the district."

AG FORESTAL COMMITTEE

There have been no objections from the County's Ag-forestal Committee.

STAFF RECOMMENDATION

Staff is recommending approval of this addition to the district.

Approval, August 31, 2021

PLANNING COMMISSION RECOMMENDATION

On a vote of 4-0, the Planning Commission recommended approval.

Approval, September 7, 2020